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HANSARD'S

PARLIAMENTARY DEBATES,

THIRD SERIES:

COMMENCING WITH THE ACCESSION OF

WILLIAM IV.

39° VICTORIÆ, 1876.

VOL. CCXXVIII.

COMPRISING THE PERIOD FROM

THE FIFTEENTH DAY OF MARCH 1876,

TO

THE SECOND DAY OF MAY 1876.

Second Volume of the Session.

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Considered in Committee.

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Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "greater facilities and encouragement should be given to the engagement and training of apprentices by shipowners,"—(*Mr. William Holms,*)—instead thereof .. 539

Question proposed, "That the words proposed to be left out stand part of the Question:"—After short debate, Amendment, by leave, *withdrawn.*

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

Bill *considered* in Committee

After short time spent therein, Committee report Progress; to sit again upon *Monday* next.

House Occupiers Disqualification Removal Bill [Bill 29]—

Order read, for resuming Adjourned Debate on Question [22nd March], "That the Bill be now read a second time."

Question again proposed:—Debate *resumed* 551

Moved, "That the Debate be now adjourned,"—(*Mr. Evans:*)—After short debate, Question put:—The House *divided;* Ayes 76, Noes 134; Majority 58.

Original Question again proposed:—*Moved,* "That this House do now adjourn,"—(*Mr. Dillwyn:*)—Question put:—The House *divided;* Ayes 79, Noes 122; Majority 43.

Original Question again proposed:—*Moved,* "That the Debate be now adjourned,"—(*Mr. Macdonald:*)—Question put:—The House *divided;* Ayes 76, Noes 118; Majority 42.

Original Question again proposed:—*Moved,* "That this House do now adjourn,"—(*Mr. Locke:*)—Question put:—The House *divided;* Ayes 71, Noes 106; Majority 35.

Original Question again proposed:—*Moved,* "That the Debate be now adjourned,"—(*Mr. Briggs:*)—Question put, and *agreed to:*—Debate *further adjourned* till *To-morrow.*

Beer Licences (Ireland) Bill—*considered* in Committee:—Resolution *agreed to,* and *reported:*—Bill *ordered* (*Mr. Meldon, Mr. Charles Lewis, Mr. Whitworth*); *presented,* and read the first time [Bill 113] 554

LORDS, FRIDAY, MARCH 24.

THE GOLD COAST—THE OUTRAGE AT WHYDAH—Question, Observations, Lord Cottesloe; Reply, The Earl of Carnarvon 555

THE SUGAR CONVENTION, 1875—REFUSAL OF THE DUTCH CHAMBER—Question, Observations, Lord Hampton; Reply, The Earl of Derby 557

County Palatine of Lancaster (Clerk of the Peace) Bill—

Moved, "That the Bill be now read 2^a,"—(*The Lord Winmarleigh*) .. 560

After short debate, Motion *agreed to:*—Bill read 2^a accordingly, and *committed* to a Committee of the Whole House on *Monday* next.

COMMONS, FRIDAY, MARCH 24.

LICENSING ACT (IRELAND) 1872—PUBLICANS' SIGN-BOARDS—Question, Mr. Sullivan; Answer, Sir Michael Hicks-Beach 561

ARMY—THE NATIONAL RIFLE ASSOCIATION—MARTINI-HENRY RIFLES—Question, General Shute; Answer, Lord Eustace Cecil 561

POLICE SUPERANNUATION—A COMMITTEE—Question, General Shute; Answer, Sir Henry Selwin-Ibbetson 562

NAVY—ANCHORS AND CABLES—(THE "VICTORIA AND ALBERT")—Question, Captain Pim; Answer, Mr. Hunt.. 562

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THE ROYAL TITLES BILL—Notice of Motion, Mr. Fawcett 563

EGYPT — MR. CAVE'S MISSION — Notice of Question, The Marquess of Hartington 563

Consolidated Fund (£10,029,550 5s. 1d.) Bill—

Moved, "That the Bill be now read the third time,"—(*Mr. William Henry Smith*) 563

After short debate, Question put, and *agreed to*:—Bill read the third time, and *passed.*

EGYPT—MR. CAVE'S MISSION—Questions, The Marquess of Hartington, Mr. Lowe; Answers, Mr. Disraeli, Mr. W. H. Smith 566

SUPPLY—Order for Committee read:—Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

ACTS OF PARLIAMENT — REPORT OF SELECT COMMITTEE—RESOLUTION—

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, effect should be given to the recommendations of the Select Committee of 1875 upon Acts of Parliament,"—(*Mr. Gregory,*)—instead thereof 568

After debate, Question, "That the words proposed to be left out stand part of the Question," put, and *agreed to.*

PARLIAMENT—THE LADIES' GALLERY, HOUSE OF COMMONS—Observations, Mr. Serjeant Sherlock; Reply, Lord John Manners:—Debate thereon 579

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—*considered* in Committee—CIVIL SERVICE ESTIMATES—

(In the Committee.)

CLASS III. — LAW AND JUSTICE.

(1.) £61,586, Queen's Bench, &c. Divisions, High Court of Justice.
(2.) £92,041, Probate and Divorce Registries, High Court of Justice.
(3.) £12,284, Admiralty Registry, High Court of Justice.
(4.) £48,585, Bankruptcy Court, London.
(5.) £414,426, County Courts.
(6.) £5,414, Land Registry Office.
(7.) £14,240, Police Courts, London and Sheerness.
(8.) £433,374, Metropolitan Police.—After short debate, Vote *agreed to* .. 591
(9.) £808,098, County and Borough Police, Great Britain. — After short debate, Vote *agreed to* 591
(10.) £440,745, Convict Establishments, England and the Colonies.—After short debate, Vote *agreed to* 592
(11.) £101,187, County Prisons, Great Britain.
(12.) £230,547, Reformatory and Industrial Schools, Great Britain.
(13.) £24,484, Broadmoor Criminal Lunatic Asylum.
(14.) £18,690, Miscellaneous Legal Charges, England.
(15.) £69,389, Lord Advocate and Criminal Proceedings, Scotland.
(16.) £59,527, Courts of Law and Justice, Scotland.
(17.) £32,389, Register House Departments, Edinburgh.
(18.) £24,189, Prisons and Judicial Statistics, Scotland.
(19.) £80,453, Law Charges and Criminal Prosecutions, Ireland.
(20.) £42,196, Court of Chancery, Ireland.
(21.) £28,901, Common Law Courts, Ireland.
(22.) £9,619, Court of Bankruptcy, Ireland.

Supply—Civil Service Estimates—Committee—*continued.*

(23.) £12,283, Landed Estates Court, Ireland.
(24.) £11,530, Court of Probate, Ireland.
(25.) £1,700, Admiralty Court Registry, Ireland.
(26.) £18,460, Registry of Deeds, Ireland.
(27.) £3,060, Registry of Judgments, Ireland.
(28.) £136,975, Dublin Metropolitan Police.
(29.) £1,086,168, Constabulary, Ireland.—After short debate, Vote *agreed to* .. 593
(30.) £40,540, Government Prisons, &c. Ireland.
(31.) £90,768, County Prisons and Reformatories, Ireland.
(32.) £6,165, Dundrum Criminal Lunatic Asylum, Ireland.
(33.) £69,666, Miscellaneous Legal Charges, Ireland.

Resolutions to be reported upon *Monday* next; Committee to sit again upon *Monday* next.

Poor Law Amendment Bill [Bill 78]—

Moved, "That the Bill be now read a second time,"—(*Mr. Sclater-Booth*) 594

Motion *agreed to*:—Bill read a second time, and *committed* for *Monday* next.

Metropolitan Gas Companies Bill [Bill 28]—

Moved, "That the Bill be now read a second time,"—(*Sir James Hogg*) .. 597

[House counted out.]

LORDS, SATURDAY, MARCH 25.

Consolidated Fund (£10,029,550 5s. 1d.) Bill—

Read 2ª (according to Order); Committee *negatived;* Then Standing Orders (Nos. XXXVII. and XXXVIII. *considered* (according to order), and *dispensed with:* Bill read 3ª, and *passed.*

LORDS, MONDAY, MARCH 27.

University of Oxford Bill—Notice of Amendments, The Marquess of Salisbury 598

Criminal Law—The Case of Police-Constable Maconachie—Observations, The Earl of Minto; Reply, The Duke of Richmond and Gordon 599

Sulphurous Acid, &c.—Address for a Royal Commission—

Moved, that an humble Address be presented to Her Majesty, praying that Her Majesty will be graciously pleased to appoint a Royal Commission to inquire into the working and management of works and manufactories from which sulphurous acid, sulphuretted hydrogen, and ammoniacal or other vapours and gases are given off, to ascertain the effect produced thereby on animal and vegetable life, and to report on the means to be adopted for the prevention of injury thereto arising from the exhalations of such acids, vapours, and gases, and upon the legislative measures required for this purpose,—(*The Duke of Northumberland*) .. 600

After short debate, Words "and upon the legislative measures required for this purpose" *withdrawn*:—Motion, as amended, *agreed to.*

Amendment of the Marriage Law—Question, Observations, Lord Chelmsford; Reply, The Lord Chancellor 609

COMMONS, MONDAY, MARCH 27.

Parliament—Private Bill Committees—Referees—Instruction—Resolution—

Moved, "That it be an Instruction to Committees on Private Bills, that Referees, appointed to such Committees, may take part in all the proceedings thereof, but without the power of voting,"—(*Mr. Mowbray*) 613

After short debate, Question put, and *agreed to.*

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FACTORY AND WORKSHOPS COMMISSION—THE REPORT—Question, Mr. J. W. Barclay; Answer, Mr. Assheton Cross 618

ARMY—WAR DEPARTMENT CONTRACTS—Question, Mr. Sullivan; Answer, Mr. Gathorne Hardy 619

ARMY VETERINARY SURGEONS—Question, Mr. Stacpoole; Answer, Mr. Gathorne Hardy 619

EDUCATION—THE QUEEN'S SPEECH—LEGISLATION—Question, Mr. W. E. Forster; Answer, Viscount Sandon 620

GREENWICH PENSIONERS IN GOVERNMENT EMPLOY—Question, Mr. Gorst; Answer, Sir Massey Lopes 620

REGISTRY OF DEEDS OFFICE (IRELAND)—THE REPORT—Question, Mr. M'Carthy Downing; Answer, Mr. W. H. Smith 621

EGYPT—EGYPTIAN FINANCE—MR. CAVE'S REPORT—Question, Mr. Samuelson; Answer, The Chancellor of the Exchequer .. 621

PERU—CREW OF THE STEAMSHIP "TALISMAN"—Question, Mr. Gourley; Answer, Mr. Disraeli 622

EGYPT—MR. CAVE'S SPECIAL MISSION—EXPENSES—Question, The Marquess of Hartington; Answer, Mr. Disraeli 623

CRIMINAL LAW—DELAY OF JUSTICE—WINTER ASSIZES—Question, Lord Elcho; Answer, Mr. Assheton Cross 625

POOR LAW—WORKHOUSE SUNDAY SERVICES (OLDHAM)—Question, Sir Thomas Bazley; Answer, Mr. Sclater-Booth 625

ARMY—ISSUE OF GROCERY RATIONS—Question, Sir Alexander Gordon; Answer, Lord Eustace Cecil 626

EGYPT—THE PROPOSED NATIONAL BANK—Question, Mr. J. W. Barclay; Answer, Mr. Disraeli 627

CRIMINAL LAW—THE CASE OF JOSEPH HADLEY—Question, Mr. Pease; Answer, The Chancellor of the Exchequer 627

Merchant Shipping Bill [Bill 49]—

Bill *considered* in Committee [*Progress 23rd March*] 627

After long time spent therein, Committee report Progress; to sit again upon *Thursday*.

SUPPLY—REPORT—Resolutions [March 24] *reported* 687

First ten Resolutions read, and *agreed to*.

The Eleventh Resolution being read a second time,

Motion made, and Question proposed, "That this House doth agree with the Committee in the said Resolution:"—After short debate, Question put, and *agreed to*.

Next twenty-one Resolutions read, and *agreed to*.

The Thirty-third Resolution being read a second time,

After short debate, Motion made, and Question put, "That this House doth agree with the Committee in the said Resolution:"—The House *divided;* Ayes 192, Noes 18; Majority 174.

Mutiny Bill—

Bill *considered* in Committee 688

Moved, "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. Parnell:*)—Question put:—The Committee *divided;* Ayes 38; Noes 154; Majority 116.

Committee report Progress; to sit again *To-morrow*.

Poolbeg Lighthouse Bill

Order for Committee read, and *discharged:*—Bill *committed* to a Select Committee.

And, on April 7, Committee *nominated:*—List of the Committee .. 688

Notices to Quit (Ireland) Bill—*Ordered* (*Sir Colman O'Loghlen, Mr. Downing, Mr. Patrick Martin*); *presented*, and read the first time [Bill 114] 689

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Royal Titles Bill—Personal Explanation, The Duke of Buccleuch .. 689

Sea Insurances (Stamping of Policies) Bill (No. 40)—
Moved, "That the Bill be now read 2ª,"—(*The Lord Carlingford*) .. 690
After short debate, Motion *agreed to*:—Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Thursday* next.

Agricultural Holdings (Scotland) Bill—
Bill for amending the Law relating to Agricultural Holdings in Scotland, *presented* (*The Lord President*) 691
After short debate, Bill read 1ª (No. 44.)

COMMONS, TUESDAY, MARCH 28.

Irish Fisheries Acts—Licences—Question, Mr. Sullivan; Answer, Sir Michael Hicks-Beach 695

Civil Bill Processes (Ireland)—Question, The O'Conor Don; Answer, Sir Michael Hicks-Beach 696

Elementary Education Act, 1870—Briston School District—Question, Mr. Richard; Answer, Viscount Sandon 696

Turkey—Loans of 1854 and 1855—Question, Mr. W. Gordon; Answer, The Chancellor of the Exchequer 698

India—Madras Irrigation Works—Question, Mr. Smollett; Answer, Lord George Hamilton 698

Egyptian Finance—Mr. Cave's Report—Questions, Sir George Campbell, Sir H. Drummond Wolff; Answers, Mr. Disraeli, The Chancellor of the Exchequer 699

The Queen's Visit to Germany — Questions, Mr. Anderson, Mr. Sullivan; Answers, Mr. Disraeli 700

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Criminal Law—Prisoners Awaiting Trial—Question, Mr. Ryder; Answer, Mr. Assheton Cross 702

Spain — Seizure of the Sloop "Lark" — Question, Mr. Serjeant Simon; Answer, Mr. Bourke 702

Borough Franchise (Ireland)—Resolution—
Moved, "That the restricted nature of the Borough Franchise of Ireland as compared with that existing in England and Scotland is a subject deserving the best attention of Parliament, with a view of establishing a fair and just equality of the Franchise in the three Countries,"—(*Mr. Meldon*) 703
After long debate, Question put:—The House *divided;* Ayes 166, Noes 179: Majority 13.
Division List, Ayes and Noes 763

Irish Church Temporalities—Motion for Returns—
Moved, "That there be laid before this House, Returns of the names of the Valuators who have fixed the amount of the purchase money payable to the Irish Church Temporalities Commissioners on sales by them of the fee-simple to the Tenants holding under them, said Returns to set forth the qualifications required for the office of such Valuators, and to give their Reports on the several holdings valued by them on behalf of the said Commissioners; and, of the names of all Tenants who have purchased the fee-simple of their holdings from the said Commissioners, specifying the denominations and acreage of such holdings, the amounts paid by each Tenant, and the amount secured by the said Commissioners by mortgage; and also the Ordinance Valuation of each holding so purchased, and the annual rent of same last theretofore paid by each Tenant to the said Commissioners or those under whom they derive,"—(*Mr. Fay*) .. 766
After short debate, Motion, by leave, *withdrawn*.

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CHURCH BODIES (GIBRALTAR)—THE ORDINANCES—MOTION FOR AN ADDRESS—

Moved, "That an humble Address be presented to Her Majesty, praying Her Majesty to withhold her assent to the Draft Ordinances for creating Anglican and Roman Catholic Church Bodies at Gibraltar, which have been recently laid upon the Table of the House,"—(*Mr. Dillwyn*) 767

After short debate, Motion, by leave, *withdrawn.*

Poolbeg Lighthouse Bill—

Ordered, That the Select Committee on the Poolbeg Lighthouse Bill do consist of Five Members, Three to be nominated by the House, and Two to be nominated by the Committee of Selection.

Ordered, That all Petitions presented against the Bill be referred to the Select Committee on the Bill, provided such Petitions are presented two clear days before the meeting of the Committee, and that such of the Petitioners as pray to be heard by themselves, their Counsel, or Agents, be heard upon their Petitions, if they think fit, and Counsel heard in favour of the Bill against the said Petitions:—That the Committee have power to send for persons, papers, and records; Three to be the quorum,"—(*Sir Charles Adderley.*)

COMMONS, WEDNESDAY, MARCH 29.

CONSTABULARY (IRELAND)—NORTH RIDING OF TIPPERARY—Question, Mr. O'Callaghan; Answer, Sir Michael Hicks-Beach 770

Land Tenure (Ireland) Bill [Bill 10]—

Moved, "That the Bill be now read a second time,"—(*Mr. Butt*) .. 771

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Mr. Clive.*)

Question proposed, "That the word 'now' stand part of the Question."

After long debate, *Moved*, "That the Debate be now adjourned,"—(*Mr. Law:*)—Motion *agreed to:*—Debate *adjourned* till *Monday* next.

LORDS, THURSDAY, MARCH 30.

University of Oxford Bill (No. 16)—

Order of the Day for the House to be put into Committee read .. 820

After short debate, House in Committee accordingly; Bill *reported*, without Amendment; Amendments made; Bill *re-committed* for *To-morrow*, and to be *printed*, as amended. (No. 45.)

Royal Titles Bill (No. 41)—

Moved, "That the Bill be now read 2^a,"—(*The Lord President*) .. 821

After long debate, Motion *agreed to:*—Bill read 2^a accordingly, and *committed* to a Committee of the Whole House on *Monday* next.

COMMONS, THURSDAY, MARCH 30.

GERMANY—PRINCE BISMARCK AND COUNT ARNIM—Question, Mr. Sullivan; Answer, Mr. Bourke 875

POOR LAW—OUT-DOOR RELIEF—Question, Mr. Dundas; Answer, Mr. Salt 876

CRIMINAL LAW—PRISON DIET—Question, Sir William Fraser; Answer, Mr. Assheton Cross 877

ELEMENTARY EDUCATION ACT, 1870—PUPIL TEACHERS—Question, Mr. Briggs; Answer, Viscount Sandon 877

NAVAL CADET COLLEGE—MILFORD HAVEN—Question, Mr. E. J. Reed; Answer, Mr. Hunt 878

EXPLOSIVE SUBSTANCES ACT—RAILWAY COMPANIES' BYE-LAWS—Question, Mr. M'Lagan; Answer, Mr. Assheton Cross 879

LICENSING ACT, 1872—BURIAL CLUBS—Question, Mr. H. B. Sheridan; Answer, Mr. Assheton Cross 880

THE BURIAL SERVICE—CHURCH OF ENGLAND—Question, Mr. A. M'Arthur; Answer, Mr. Assheton Cross 881

THE ROYAL TITLES BILL—THE PROCLAMATION—Question, Mr. Rylands; Answer, Mr. Disraeli 881

ARMY MEDICAL SCHOOL—Question, Mr. O'Leary; Answer, Mr. Gathorne Hardy 882

THE QUEEN'S VISIT TO GERMANY—Questions, Mr. Anderson; Answer, Mr. Disraeli 882

METROPOLIS—THE UNIVERSITY BOAT RACE — HAMMERSMITH BRIDGE — Question, Sir Henry Holland; Answer, Mr. Assheton Cross .. 883

Merchant Shipping Bill [Bill 49]—

Bill *considered* in Committee [*Progress 27th March*] 884

After some time spent therein, Committee report Progress; to sit again upon *Monday* next.

Mutiny Bill—

Bill *considered* in Committee 912

After short time spent therein, Bill *reported;* as amended, to be considered *To-morrow.*

Roads and Bridges (Scotland) Bill—

Motion for Leave (*The Lord Advocate*) 914

Motion *agreed to*:—Bill to alter and amend the Law in regard to the management and maintenance of Roads and Bridges in Scotland, *ordered* (*The Lord Advocate, Mr. Secretary Cross*); *presented*, and read the first time [Bill 118.]

Intoxicating Liquors (Licensing Law Amendment) Bill—*Ordered* (*Sir Harcourt Johnstone, Mr. Birley, Sir John Kennaway, Mr. Pease*); *presented*, and read the first time [Bill 116] 918

Market Juries (Ireland) Bill—*Ordered* (*Sir Colman O'Loghlen, Mr. Maurice Brooks, Mr. Patrick Martin*); *presented*, and read the first time [Bill 117] 919

Clerk of the Peace and of the Crown (Ireland) Bill—*Ordered* (*Mr. Solicitor General for Ireland, Sir Michael Hicks-Beach*); *presented*, and read the first time [Bill 119] 919

LORDS, FRIDAY, MARCH 31.

CHAIRMAN OF COMMITTEES—

Moved that the Lord Winmarleigh be appointed to take the Chair in the Committees of the Whole House in the absence of the Lord Redesdale: *Agreed to.*

CRIMINAL LAW—DETENTION OF UNTRIED PRISONERS—CASE OF GEORGE HILL — Question, Observations, Earl Cowper; Reply, The Lord Chancellor 919

THE COUNCIL OF INDIA — THE INDIAN TARIFF—Question, Observations, Viscount Halifax; Reply, The Marquess of Salisbury:—Short debate thereon 921

University of Oxford Bill (Nos. 16-45)—

Order of the Day for the House to be put into Committee (on Re-commitment read 926

Moved, "That the House do now resolve itself into Committee,"—(*The Marquess of Salisbury:*)—After short debate, House in Committee.

After long time spent therein, House *resumed;* to be again in Committee (on Re-commitment) on *Thursday* next.

OFFICE OF THE CLERK OF THE PARLIAMENTS AND OFFICE OF THE GENTLEMAN USHER OF THE BLACK ROD—

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Metropolis—Hyde Park—The Serpentine—Question, Mr. Adam; Answer, Mr. W. H. Smith 969

Supply—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

Monastic and Conventual Institutions (Great Britain)—Resolution—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "it is inexpedient that an inquiry be undertaken as to the number, rate of increase, character, and present position, in relation to the Law, of Monastic and Conventual Institutions in Great Britain,"—(*Sir Thomas Chambers,*)—instead thereof 970

Question proposed, "That the words proposed to be left out stand part of the Question:"—After long debate, Question put:—The House *divided;* Ayes 127, Noes 87; Majority 40.

Main Question proposed, "That Mr. Speaker do now leave the Chair:"—Motion, by leave, *withdrawn:*—Committee *deferred* till *Monday* next.

Mutiny Bill—

Bill, as amended, *considered* 1035
Amendment made:—Bill to be read the third time upon *Monday* next.

Cattle Diseases (Ireland) Bill [Bill 94]—

Bill *considered* in Committee [*Progress 10th March*] 1036
After short time spent therein, Committee report Progress; to sit again upon *Monday* next.

Egypt — Mr. Cave's Report — Observation, The Chancellor of the Exchequer 1038

Toll Bridges (River Thames)

Select Committee *appointed*, "to take into consideration the freeing of the remaining Tollpaying Bridges over the Thames, and the most equitable mode of raising the necessary funds, and to report to the House,"—(*Mr. Alderman M'Arthur.*)

And, on April 10, Committee *nominated:*—List of the Committee .. 1038

POST OFFICE (TELEGRAPH DEPARTMENT)—

Select Committee *appointed*, "to inquire into the organization and financial system of the Telegraph Department of the Post Office:"— Committee to consist of Seventeen Members,—(*Mr. Goldsmid.*)

Committee *nominated*:—List of the Committee 1038

LORDS, MONDAY, APRIL 3.

Royal Titles Bill (No. 41)—

Order of the Day for the House to be put into Committee, read .. 1039

Moved, "That the House do now resolve itself into Committee,"—(*The Lord President.*)

An Amendment *moved*—

To leave out from ("That") to the end of the motion for the purpose of inserting ("an humble Address be presented to Her Majesty as follows:

"That this House ventures to approach Her Majesty in sincere and earnest devotion to Her Majesty's person and dignity, with an humble and hearty prayer that She may be graciously pleased to assume a Title more in accordance than the Title of Empress with the history of the Nation and with the loyalty and feelings of Her Majesty's most faithful subjects,")—(*The Earl of Shaftesbury.*)

After long debate, on Question, That the words proposed to be left out stand part of the Motion? their Lordships *divided;* Contents 137, Not Contents 91; Majority 46:—*Resolved* in the *Affirmative.*

Division List, Contents and Not-Contents 1092

Then the original Motion *agreed to*:—House in Committee accordingly.

After short time spent therein, Bill *reported*, without Amendment; and to be read 3ª on *Friday* next.

Inns of Court Bill [H.L.]—*Presented* (*The Lord Selborne*); read 1ª (No. 47) .. 1095

General School of Law Bill [H.L.]—*Presented* (*The Lord Selborne*); read 1ª (No. 48) 1095

COMMONS, MONDAY, APRIL 3.

DEPUTY CLERKS OF THE PEACE (IRELAND)—Question, Mr. Charles Lewis; Answer, Sir Michael Hicks-Beach 1096

INLAND REVENUE—FRIENDLY AND BUILDING SOCIETIES—FEES ON CERTIFICATES—Question, Mr. Rylands; Answer, The Chancellor of the Exchequer 1096

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THE FACTORY ACTS—BLEACHWORKS AND DYEWORKS—Question, Mr. Macdonald; Answer, Mr. Assheton Cross 1098

ARMY—THE ROYAL ARTILLERY—LIEUTENANT COLONELS—Question, Captain Nolan; Answer, Mr. Gathorne Hardy 1098

LICENSING ACT, 1872—BURIAL CLUBS—Question, Mr. H. B. Sheridan; Answer, Mr. Assheton Cross 1099

THE CIVIL SERVICE (IRELAND)—Question, Mr. Stacpoole; Answer, Mr. W. H. Smith 1099

PARLIAMENT—PUBLIC BUSINESS—THE EASTER RECESS—Questions, Mr. Hubbard, Mr. Anderson, Mr. Pease; Answers, Mr. Disraeli, Mr. Hunt, Mr. W. H. Smith 1100

WAYS AND MEANS—THE FINANCIAL STATEMENT—

WAYS AND MEANS—*considered* in Committee 1100

(In the Committee.)

Motion made, and Question proposed, "That there shall be charged, collected, and paid for one year, commencing on the sixth day of April, one thousand eight hundred and seventy-six, in respect of all Property, Profits, and Gains mentioned or de-

WAYS AND MEANS—THE FINANCIAL STATEMENT—Committee—*continued.*

scribed as chargeable in the Act of the sixteenth and seventeenth years of Her Majesty's reign, chapter thirty-four, the following Duties of Income Tax (that is to say):

For every Twenty Shillings of the annual value or amount of all such Property, Profits, and Gains chargeable under Schedules (A) (C) (D) or (E) of the said Act, the Duty of Three Pence;

And For every Twenty Shillings of the annual value of the occupation of Lands, Tenements, Hereditaments, and Heritages chargeable under Schedule (B) of the said Act:—

In England, the Duty of One Penny Halfpenny; and

In Scotland and Ireland respectively, the Duty of One Penny Farthing,"—(*The Chancellor of the Exchequer.*)

After debate, *Moved,* "That the Chairman do report Progress and ask leave to sit again,"—(*Mr. Chancellor of the Exchequer:*)—Motion *agreed to.*

Committee report Progress; to sit again upon *Thursday.*

Merchant Shipping Bill [Bill 49]—

Bill *considered* in Committee [*Progress* 30*th March*] 1147

After some time spent therein, Committee report Progress; to sit again upon *Thursday.*

Ecclesiastical Assessments (Scotland) Bill [Bill 106]—

Order for Second Reading read 1162

After short debate, Second Reading *deferred* till *Thursday* 27*th April.*

LORDS, TUESDAY, APRIL 4.

Irish Peerage Bill (No. 32)—

Moved, "That the Bill be now read 2ª,"—(*The Lord Inchiquin*) .. 1162

After short debate, Motion *agreed to:*—Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Friday* the 28*th instant.*

THE RESPONSIBILITY OF TRUSTEES—Question, Observations, The Earl of Belmore; Reply, The Lord Chancellor 1176

COMMONS, TUESDAY, APRIL 4.

THE NEWFOUNDLAND FISHERIES—Question, Captain G. E. Price; Answer, Mr. J. Lowther 1177

THE WINDWARD ISLANDS—FEDERATION—Question, Mr. Cowper-Temple; Answer, Mr. J. Lowther 1178

POST OFFICE—FEMALE CLERKS IN THE SAVINGS BANK DEPARTMENT—Question, Mr. James; Answer, Lord John Manners 1179

PUBLIC HEALTH (IRELAND)—DUBLIN—Question, Mr. Butt; Answer, Sir Michael Hicks-Beach 1179

POST OFFICE—RURAL POST OFFICE MESSENGERS (IRELAND)—Question, Lord Robert Montagu; Answer, Lord John Manners 1180

POOR INSPECTORS (SCOTLAND)—SUPERANNUATION—Question, Sir Robert Anstruther; Answer, The Lord Advocate 1180

POST OFFICE TELEGRAPHS—GLENGARRIFFE—Question, Mr. Sullivan; Answer, Lord John Manners 1180

PARLIAMENT—ARRANGEMENT OF PUBLIC BUSINESS—Observations, Question, The Marquess of Hartington; Reply, Mr. Disraeli:—Short debate thereon 1181

INLAND REVENUE—EXCISE—BLENDING OF IRISH WHISKEY—MOTION FOR A SELECT COMMITTEE—

Moved, "That a Select Committee be appointed to inquire into the practice which has been permitted of late years of mixing Whiskey in Her Majesty's Bonding and Inland Revenue Stores with other spirits; to report to this House whether the practice is injurious to the public and to the manufacturers of Irish Whiskey, and whether, in the opinion of the Committee, the practice ought or ought not to be discontinued; and that the Committee do also inquire into the effect of using new made spirits, and to report whether it would be in the interest of the public for the Government to detain all spirits and Whiskey in Bond until it is at least twelve months old,"—(*Mr. O'Sullivan*) 1185

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "'in the opinion of this House, the practice of 'blending' Whiskey does not necessarily cause adulteration, and it is inexpedient to deprive traders in British spirits of trade facilities that are allowed to traders in Foreign spirits, wines, and various other bonded articles,"—(*Mr. Anderson,*)—instead thereof.

After debate, Question put, "That the words proposed to be left out stand part of the Question:"—The House *divided;* Ayes 69, Noes 145; Majority 76.

Question proposed,

"That the words 'in the opinion of this House, the practice of 'blending' Whiskey does not necessarily cause adulteration, and it is inexpedient to deprive traders in British spirits of trade facilities that are allowed to traders in Foreign spirits, wines, and various other bonded articles,' be added, instead thereof."

Amendment, by leave, *withdrawn.*

SLAVE TRADE (EAST AFRICA)—RESOLUTION—

Moved, "That, in the opinion of this House, it is desirable that Her Majesty's Government should invite and assist the Sultan of Zanzibar to take such further steps as may be necessary for the total suppression of the Slave Trade within his dominions, and that at the same time more adequate provision should be made for the care and maintenance of the liberated slaves,"—(*Sir John Kennaway*) 1216

After debate, Motion *agreed to.*

PEACE PRESERVATION (IRELAND) ACT—RESOLUTION—

Moved, "That this House, while viewing with satisfaction the withdrawal from several counties of Ireland of the proclamations issued under the Peace Preservation Act, is of opinion that the present condition of Ireland does not justify the retention of the powers of that Act over so large a portion of the Country as still remains subject to its provisions,"—(*Sir Joseph M'Kenna*) 1232

After short debate, Previous Question moved (*Mr. Parnell:*)—*Previous Question* put, "That that Question be now put:"—*Resolved* in the *Negative.*

METROPOLIS—HYDE PARK—THE SERPENTINE—RESOLUTION—

Moved, "That the mounds at present being erected on the south of the Serpentine are unsightly, and will, when planted, be detrimental to the picturesque character of Hyde Park, and ought to be removed,"—(*Mr. Pease*) 1247

After short debate, Debate *adjourned* till *Monday* next.

COMMONS, WEDNESDAY, APRIL 5.

Elementary Education Act (1870) Amendment Bill [Bill 14]—

Moved, "That the Bill be now read a second time,"—(*Mr. Dixon*) .. 1251

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Mr. Sandford.*)

After long debate, Question put, "That the word 'now' stand part of the Question:"—The House *divided;* Ayes 160, Noes 281; Majority 121.

Words *added:*—Main Question, as amended, put, and *agreed to:*—Second Reading *put off* for six months.

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CHAIRMAN OF COMMITTEES—

Moved that the Lord Winmarleigh be appointed to take the Chair in the Committees of the Whole House in the absence of the Lord Redesdale: *Agreed to.*

PRIVATE BILLS—

Ordered, That Standing Orders Nos. 91. and 92. be suspended; and that the time for depositing petitions praying to be heard against Private Bills, which would otherwise expire during the adjournment of the House at Easter, be extended to the first day on which the House shall sit after the Recess.

THE ROYAL TITLES BILL—Question, Earl Granville; Answer, The Lord Chancellor 1301

Supreme Court of Judicature (Ireland) Bill (No. 31)—

Moved, "That the Bill be now read 2^a,"—(*The Lord Chancellor*) .. 1301

After short debate, Motion *agreed to;* Bill read 2^a accordingly, and *committed* to a Committee of the Whole House on *Monday* the 1*st of May* next.

University of Oxford Bill (No. 16)—

House again in Committee (on Re-Commitment) (according to Order) .. 1302

Amendments made: the Report thereof to be received on *Tuesday* the 2*nd* of *May* next; and Bill to be *printed*, as amended. (No. 45.)

COMMONS, THURSDAY, APRIL 6.

PARLIAMENT—PRIVILEGE—PUBLIC PETITIONS—MONASTIC AND CONVENTUAL INSTITUTIONS BILL—

Notice taken, that the name of Mr. Newdegate, Member for North Warwickshire, had been affixed without his authority to a Petition from Chatham, in favour of the Monastic and Conventual Institutions Bill, presented upon the 30th day of March last.

Observations, Mr. Newdegate:—Short debate thereon 1317

Ordered, That the Order that the said Petition do lie upon the Table be read, and discharged:—Petition *withdrawn*.

PARLIAMENT—PUBLIC PETITIONS—PETITION FROM A FOREIGN TOWN—Observations, Sir Eardley Wilmot; Reply, Mr. Speaker 1321

PARLIAMENTARY FRANCHISE — LIVERYMEN OF LONDON — Question, Mr. James; Answer, Mr. Assheton Cross 1321

SPAIN—WAR TAXES ON BRITISH SUBJECTS—Question, Mr. Goldsmid; Answer, Mr. Bourke 1321

ARMY—THE ROYAL ARTILLERY (INDIA)—Question, Colonel Jervis; Answer, Mr. Gathorne Hardy 1322

FLOGGING IN BARBADOES—Question, Mr. P. A. Taylor; Answer, Mr. J. Lowther 1323

POST OFFICE—THE CHANNEL ISLANDS—ALDERNEY—Question, Mr. Alderman M'Arthur; Answer, Lord John Manners 1323

POST OFFICE—POSTAGE OF BLUE BOOKS—Question, Mr. M'Laren; Answers, Lord John Manners, Mr. W. H. Smith 1324

WAYS AND MEANS — THE FINANCIAL STATEMENT — ABATEMENTS FROM INCOME TAX—Question, Mr. Whitwell; Answer, The Chancellor of the Exchequer 1324

EGYPT—EGYPTIAN FINANCE—MR. RIVERS WILSON—Question, Mr. Gourley; Answer, The Chancellor of the Exchequer 1325

REGISTRATION OF BIRTHS AND DEATHS — CERTIFICATES OF DEATHS — Question, Mr. W. Holms; Answer, The Chancellor of the Exchequer 1325

THE SUEZ CANAL ADMINISTRATION—THE SURTAX—Question, The Marquess of Hartington; Answer, The Chancellor of the Exchequer .. 1326

NAVY—NAVAL INTERPRETERS—Question, Mr. Hanbury-Tracy; Answer, Mr. Hunt 1327

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PARLIAMENT—ARRANGEMENT OF PUBLIC BUSINESS—Question, Mr. Beckett-Denison; Answer, The Marquess of Hartington:—Short debate thereon 1328

WAYS AND MEANS—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair,"—(*Mr. Chancellor of the Exchequer.*)

LOCAL AND IMPERIAL TAXATION—THE INCOME TAX—RESOLUTION—

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "Local and Imperial Taxation, when they have a common incidence, should have a common basis of valuation, and should alike be assessed upon the net rental or value of Real Property; and that Imperial Taxation, when levied upon industrial earnings, should be subject to such an abatement as may equitably adjust the burthens thrown upon intelligence and skill as compared with property,"—(*Mr. Hubbard,*)—instead thereof 1331

After debate, Question put, "That the words proposed to be left out stand part of the Question:"—The House *divided;* Ayes 156, Noes 84; Majority 72.

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

WAYS AND MEANS—*considered* in Committee—

(In the Committee.)

(1.) Motion made, and Question proposed, "That, towards raising the Supply granted to Her Majesty, there shall be charged, collected, and paid for one year, commencing on the sixth day of April, one thousand eight hundred and seventy-six, in respect of all Property, Profits, and Gains mentioned or described as chargeable in the Act of the sixteenth and seventeenth years of Her Majesty's reign, chapter thirty-four, the following Duties of Income Tax (that is to say):

For every Twenty Shillings of the annual value or amount of all such Property, Profits, and Gains chargeable under Schedules (A) (C) (D) or (E) of the said Act, the Duty of Three Pence;

And For every Twenty Shillings of the annual value of the occupation of Lands, Tenements, Hereditaments, and Heritages chargeable under Schedule (B) of the said Act:—

In England, the Duty of One Penny Halfpenny; and

In Scotland and Ireland respectively, the Duty of One Penny Farthing,"—(*Mr. Chancellor of the Exchequer*) 1353

Motion made, and Question proposed, "That, towards raising the Supply granted to Her Majesty, there shall be charged, collected, and paid for one year, commencing on the sixth day of April, one thousand eight hundred and seventy-six, in respect of all Property, Profits, and Gains mentioned or described as chargeable in the Act of the sixteenth and seventeenth years of Her Majesty's reign, chapter thirty-four, the following Duties of Income Tax (that is to say):

For every Twenty Shillings of the annual value or amonnt of all such Property, Profits, and Gains chargeable under Schedules (A) (C) (D) or (E) of the said Act, the Duty of Two Pence;

And for every Twenty Shillings of the annual value of the occupation of Lands, Tenements, Hereditaments, and Heritages chargeable under Schedule (B) of the said Act:—

In England, the Duty of One Penny; and

In Scotland and Ireland respectively, the Duty of One Penny," — (*Mr. Charles Lewis*:)—After debate, Question put:—The Committee *divided;* Ayes 52, Noes 113; Majority 61.

Original Question put, and *agreed to.*

(2.) Motion made, and Question proposed, "That the exemption granted by the Act of the fifth and sixth years of Her Majesty's reign, chapter thirty-five, to persons whose incomes are respectively less than One Hundred and Fifty Pounds a-year, shall be restored, and, in lieu of the relief granted by Section Twelve of 'The Customs and Inland Revenue Act, 1872,' to a person whose income, although amounting to One Hundred Pounds or upwards, is less than Three Hundred Pounds, a relief or abatement to the extent of Duty upon One Hundred and Twenty Pounds shall be given or made to a person whose in-

Ways and Means—Committee—*continued.*

come, although amounting to One Hundred and Fifty Pounds or upwards, is less than Four Hundred Pounds:"—After short debate, Resolution *agreed to* .. 1361

(3.) *Resolved,* That, towards raising the Supply granted to Her Majesty, the Duties of Customs now charged on Tea shall continue to be levied and charged on and after the first day of August, one thousand eight hundred and seventy-six, until the first day of August, one thousand eight hundred and seventy-seven, on importation into Great Britain or Ireland (that is to say): on

s. d.
Tea . . . . the lb. 0 6

(4.) *Resolved,* That it is expedient to amend the Law relating to the Inland Revenue and the Customs.

Resolution to be reported *To-morrow;* Committee to sit again *To-morrow.*

Merchant Shipping Bill [Bill 49]—

Bill *considered* in Committee [*Progress 3rd April*] 1367

After some time spent therein, Committee report Progress; to sit again upon *Monday* next.

Admiralty Jurisdiction (Ireland) Bill—*Ordered* (*Mr. Solicitor General for Ireland, Sir Michael Hicks-Beach*); *presented,* and read the first time [Bill 121] .. 1377

Local Government Provisional Orders (No. 2) Bill—*Ordered* (*Mr. Salt, Mr. Sclater-Booth*) 1377

LORDS, FRIDAY, APRIL 7.

Private Bills—

Ordered, That no Private Bill brought from the House of Commons shall be read a second time after *Monday* the 19*th day of June* next:

That no Bill authorising any inclosure of lands under special report of the Inclosure Commissioners for England and Wales, or confirming any scheme of the Charity Commissioners for England and Wales, shall be read a second time after *Monday* the 26*th day of June* next.

That no Bill confirming any provisional order or provisional certificate shall be read a second time after *Monday* the 26*th day of June* next.

That when a Bill shall have passed this House with amendments these orders shall not apply to any new Bill sent up from the House of Commons which the Chairman of Committees shall report to the House is substantially the same as the Bill so amended.

The Indian Tariff—The Council of India—Observations, The Marquess of Salisbury; Reply, The Duke of Argyll 1378

Agricultural Holdings (Scotland) Bill (No. 44)—

Moved, "That the Bill be now read 2^a,"—(*The Lord President*) .. 1379

After short debate, Motion *agreed to:*—Bill read 2^a accordingly, and *committed* to a Committee of the Whole House on *Monday the 8th May* next.

Church of Scotland (Election of Ministers)—Motion for Returns—

Moved that there be laid before the House Copy of—

"Regulations, framed and enacted by the General Assembly of the Church of Scotland, to be observed in the election and appointment of Ministers" under the powers conferred upon them by the Patronage Abolition Act; also for returns for each parish in Scotland, in which a vacancy has been filled up or is in the course of being filled up, under any such regulations or interim regulations of the General Assembly stating certain particulars [according to a tabular form set forth in the Motion,]—(*The Earl of Minto*) 1384

After short debate, Motion amended and *agreed to.*

Royal Titles Bill (No. 41)—

Moved, "That the Bill be now read 3^a,"—(*The Lord President*) .. 1386

After short debate, Motion *agreed to;*—Bill read 3^a accordingly, and *passed.*

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Metropolis—Hyde Park—The Serpentine—Question, The Marquess of Lansdowne; Answer, The Duke of Richmond and Gordon .. 1393

Metropolis—Northumberland Avenue—Question, Viscount Templetown; Answer, The Duke of Richmond and Gordon 1394

COMMONS, FRIDAY, APRIL 7.

Parliament—Privilege—Public Petitions—Monastic and Conventual Institutions Bill—

Notice taken of the language of Petitions in favour of the Monastic and Conventual Institutions Bill from Kensington [presented 28th March]; from Broadstairs [presented 28th March]; and from Avebury [presented 31st March]; and doubts having been expressed whether the name of the Honourable Member which appeared upon those Petitions had been affixed by his authority:—

Moved, "That the Order, That the Petition from Kensington [presented 28th March] do lie upon the Table, be read, and discharged,"—(*Mr. Callan*) 1395

After debate, *Moved*, "That the Debate be now adjourned,"—(*Sir William Fraser*:)—Motion, by leave, *withdrawn*.

Original Question put, and *agreed to*:—*Ordered*, That the Petition be *withdrawn*.

Ordered, That the Order, That the Petition from Broadstairs [presented 28th March] do lie upon the Table, be read, and discharged:—*Ordered*, That the Petition be *withdrawn*.

Ordered, That the Order, That the Petition from Avebury [presented 31st March] do lie upon the Table, be read, and discharged:—*Ordered*, That the Petition be *withdrawn*.

Church Temporalities Commissioners (Ireland)—Question, Mr. Biggar; Answer, Sir Michael Hicks-Beach 1403

Poor Law (Ireland)—Kilmacthomas Workhouse—Question, Mr. Arthur Moore; Answer, Sir Michael Hicks-Beach 1404

India—The Indian Budget—Question, Mr. Forsyth; Answer, Lord George Hamilton 1404

Elementary Education Act, 1870—Science in Elementary Schools—Question, Sir Edward Watkin; Answer, Viscount Sandon .. 1405

Peru—Crew of the "Talisman"—Question, Dr. Cameron; Answer, Mr. Bourke 1406

Elementary Education (Scotland) Act—The Scotch Education Code, 1876—Question, Mr. Mackintosh; Answer, Viscount Sandon .. 1406

Dominion of Canada—The Treaty of Washington—Question, Mr. E. Jenkins; Answer, Mr. Bourke 1407

Fisheries (Ireland)—Trawling Vessels in Galway Bay—Question, Mr. O'Shaughnessy; Answer, Sir Michael Hicks-Beach .. 1408

Post Office—Parliamentary Papers and Blue Books—Question, Mr. M'Laren; Answer, Mr. W. H. Smith 1408

Navy—The "Mistletoe" Collision—Report of Court of Inquiry—Questions, Mr. Goschen, Mr. Anderson; Answers, Mr. Hunt .. 1409

Inland Revenue—Public Health Act, 1875—The Proxy Stamp—Question, Mr. Coope; Answer, Mr. Sclater-Booth 1410

Primary Education—Legislation—Question, Lord Francis Hervey; Answer, Viscount Sandon 1410

Parliament—Public Petitions from a Foreign Town—Boulogne Sur Mer (British Consulate)—Resolution—

A Petition of Inhabitants of Boulogne sur Mer relative to the British Consulate in that Town having been offered to be presented,—

Moved, "That the Petition do lie upon the Table,"—(*Mr. Disraeli*) 1411

After short debate, Motion, by leave, *withdrawn*.

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SUPPLY—Order for Committee read:—Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

PUBLIC SCHOOLS ACT, 1868—RESOLUTION—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "a Select Committee be appointed to consider whether any alteration is desirable in the existing relations between the Governing Bodies, Head Masters, and Assistant Masters of the seven schools under the operation of 'The Public Schools Act, 1868,'"—(*Mr. Knatchbull-Hugessen,*)—instead thereof .. 1420

After debate, Question, "That the words proposed to be left out stand part of the Question," put, and *agreed to.*

WOOLWICH ARSENAL — Observations, Major Beaumont; Reply, Lord Eustace Cecil:—Short debate thereon 1452

CRIMINAL LAW—THE METROPOLITAN POLICE—CASE OF MR. PALMER—Question, Observations, Sir William Fraser; Reply, Mr. Assheton Cross 1462

Main Question, "That Mr. Speaker do now leave the Chair," put and *agreed to.*

SUPPLY—*considered* in Committee—CIVIL SERVICE ESTIMATES—

(In the Committee.)

CLASS V.—COLONIAL, CONSULAR, AND OTHER FOREIGN SERVICES.

Motion made, and Question proposed, "That a sum, not exceeding £218,663, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1877, for the Expenses of Her Majesty's Embassies and Missions Abroad" 1466

After short debate, Motion made, and Question proposed, "That a sum, not exceeding £204,163, be granted, &c.,"—(*Sir Henry Drummond Wolff.*)

Moved, "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. Whitwell:*)—After further short debate, Motion, by leave, *withdrawn.*

Question again proposed, "That a sum, not exceeding £204,163, be granted, &c.:" —Motion, by leave, *withdrawn.*

Original Motion, by leave, *withdrawn.*

£1,254,650, on account, for Civil Services 1876-77.

[Then the Services are severally set forth.]

Resolution to be reported upon *Monday* next; Committee to sit again upon *Monday* next.

Poor Law Amendment Bill [Bill 78]—

Order for Committee read:—*Moved,* "That Mr. Speaker do now leave the Chair,"—(*Mr. Sclater-Booth*) 1469

After short debate, Question put, and *agreed to:*—Bill *considered* in Committee.

Committee report Progress; to sit again upon *Monday* next.

Cattle Diseases (Ireland) Bill [Bill 95]—

Bill *considered* in Committee [*Progress* 31*st March*] 1471

After short time spent therein, Committee report Progress; to sit again upon *Monday* next.

Ways and Means—

Resolutions [April 6] *reported,* and *agreed to:*—Bill *ordered* (*Mr. Raikes, Mr. Chancellor of the Exchequer, Mr. William Henry Smith*); *presented,* and read the first time [Bill 124] 1472

Game Laws Amendment (Scotland) Bill — *Ordered* (*Lord Elcho, Sir Graham Montgomery*); *presented,* and read the first time [Bill 123] 1472

Local Government Provisional Orders (No. 3) Bill—*Ordered* (*Mr. Salt, Mr. Sclater-Booth*); *presented,* and read the first time [Bill 125] 1472

Juries Procedure (Ireland) Bill—*Ordered* (*Sir Michael Hicks-Beach, Mr. Solicitor General for Ireland*); *presented,* and read the first time [Bill 126] 1472

Jurors Qualification (Ireland) Bill—*Ordered* (*Sir Michael Hicks-Beach, Mr. Solicitor General for Ireland*); *presented,* and read the first time [Bill 127] 1472

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Supply—Order for Committee read:—Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

Navy—The Collision of the "Alberta" and the "Mistletoe"—Resolution—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "as the Officers appointed by the Admiralty to inquire into the circumstances attending the collision between the 'Alberta' and the 'Mistletoe' appear to have reported, and the Board of Admiralty by compensations have practically acknowledged that those in charge of the 'Alberta' were in the wrong, Her Majesty's Government ought, when life had been lost through that wrong, to have taken further steps to vindicate public justice,"—(*Mr. Anderson,*)—instead thereof .. 1486

After short debate, Question put, "That the words proposed to be left out stand part of the Question:"—The House *divided;* Ayes 157; Noes 65: Majority 92.

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SUPPLY—Order for Committee read—*continued.*

NAVY—THE ROYAL MARINES—Observations, Mr. Sampson Lloyd:—Short debate thereon 1518

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—*considered* in Committee—NAVY ESTIMATES—

(In the Committee.)

(1.) £2,634,904, Wages, &c. to Seamen and Marines.—After debate, Vote *agreed to* 1528
(2.) £1,153,367, Victuals and Clothing.—After short debate, Vote *agreed to* .. 1549
(3.) £189,820, Admiralty Office.—After short debate, Vote *agreed to* .. 1549

Resolutions to be reported.

Motion made, and Question proposed, "That a sum, not exceeding £210,230, be granted to Her Majesty, to defray the Expenses of the Coast Guard Service, Royal Naval Reserve, and Seamen and Marine Pensioners Reserve, and Royal Naval Artillery Volunteers, which will come in course of payment during the year ending on the 31st day of March 1877."

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. Rylands*:)—After short debate, Question put, and *agreed to.*

Resolutions to be reported *To-morrow*, at One of the clock; Committee also report Progress; to sit again upon *Monday* 24th April.

Highways Bill—

Motion for Leave (*Mr. Sclater-Booth*) 1554

After short debate, Motion *agreed to*:—Bill to amend the law relating to the management of Highways, *ordered* (*Mr. Sclater-Booth, Mr. Salt*); *presented*, and read the first time [Bill 129.]

Poor Law (Scotland) Bill—

Motion for Leave (*The Lord Advocate*) 1554

After short debate, Motion *agreed to*:—Bill for the further amendment and better administration of the Laws relating to the Relief of the Poor in Scotland, *ordered* (*The Lord Advocate, Mr. Secretary Cross*); *presented*, and read the first time [Bill 130.]

Treasury Solicitor Bill—*Ordered* (*Mr. William Henry Smith, Mr. Chancellor of the Exchequer, Mr. Attorney General*); *presented*, and read the first time [Bill 128] .. 1556

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PARLIAMENT—THE EASTER RECESS—

Moved, "That the House, at its rising, do adjourn until Monday, the 24th April,"—(*Mr. Disraeli.*)

LAND TENURE (IRELAND) BILL—RESUMPTION OF THE DEBATE—Question, Observations, Mr. Butt; Reply, Mr. Disraeli:—Short debate thereon 1559

Motion *agreed to.*

SUPPLY—REPORT—Resolutions [April 10] *reported.*

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Offences against the Person Bill [Bill 1]—
Bill *considered* in Committee [*Progress 6th April*] 1622
After short time spent therein, Committee report Progress; to sit again upon *Friday.*

House Occupiers Disqualification Removal Bill [Bill 29]—
Order for resuming Adjourned Debate on Motion, "That the Bill be now read a second time" [22nd March],—(*Sir H. Drummond Wolff*),—read 1623
Moved, "That the Order be discharged,"—(*Mr. Waddy*:)—After short debate, Motion, by leave, *withdrawn*:—Debate further *adjourned* till *Thursday.*

Pier and Harbour Orders Confirmation (Aldborough, &c.) Bill—*Considered* in Committee:—Resolution *agreed to*, and *reported*:—Bill *ordered* (*Sir Charles Adderley, Mr. Edward Stanhope*); *presented*, and read the first time [Bill 131] 1624

COMMONS, TUESDAY, APRIL 25.

COURT OF SESSION (SCOTLAND)—RETURNS—Question, Mr. Grieve; Answer, The Lord Advocate 1624
INDIA—MAJORS OF ARTILLERY—THE ROYAL WARRANT, 1872—Question, Colonel Jervis; Answer, Lord George Hamilton 1625
SPAIN — MISCARRIAGE OF JUSTICE — MURDER OF A BRITISH SUBJECT—Question, Mr. Dodson; Answer, Mr. Bourke 1626
ARMY—THE GUARDS—STOCK-PURSE FUND ALLOWANCES—Question, Mr. A. Moore; Answer, Lord Eustace Cecil 1626
INDIA TARIFF ACT — CORRESPONDENCE — Question, General Sir George Balfour; Answer, Lord George Hamilton 1627
ARMY—IRISH MILITIA REGIMENTS—Question, Captain Nolan; Answer, Lord Eustace Cecil 1627
BARBADOES — ALLEGED RIOTS — Questions, Sir Charles W. Dilke, Mr. Thornhill; Answer, Mr. J. Lowther 1627
THE ROYAL TITLES BILL — THE PROCLAMATION—Question, Mr. Fawcett; Observations, The Marquess of Hartington; Reply, Mr. Disraeli:—Short debate thereon 1629
PARLIAMENT — PRIVILEGE — IRREGULAR PETITIONS — Observations, Mr. Newdegate, Captain Nolan 1633
PERU—CREW OF THE STEAMSHIP "TALISMAN"—Question, Mr. Gorst; Answer, Mr. Bourke 1634
DOG POISONING—Question, Sir Trevor Lawrence; Answer, Mr. Assheton Cross 1635

Navy—Navigation of Her Majesty's Ships—Resolution—
Moved, "That, in the opinion of this House, it having been determined gradually to abolish the system of employing a separate and distinct branch of officer for navigating duties, it is desirable that greater encouragement and a more extended training than at present adopted should be given to the officers of the Fleet to obtain practical experience in surveying, pilotage, and navigation; and that in carrying out the intended change due regard should be paid to the position and prospects of existing class of navigating officers,"—(*Mr. Hanbury-Tracy*) .. 1635

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "considering the greatly increased value of Her Majesty's ships of late years, and the importance of providing for their safe navigation, this House is of opinion that the training and instruction, as well as the position of navigating officers, demands serious attention, but that the abolition of a separate and distinct class of officers to perform these duties is a step which can only be approached with extreme caution and under a sense of the gravest responsibility,"—(*Captain Price*,) —instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question:"—After short debate, [House counted out.]

COMMONS, WEDNESDAY, APRIL 26.

Women's Disabilities Removal Bill [Bill 20]—
Moved, "That the Bill be now read a second time,"—(*Mr. Forsyth*) .. 1658
Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Viscount Folkestone*.)
After long debate, Question put, "That the word 'now' stand part of the Question:"—The House *divided;* Ayes 152, Noes 239; Majority 87.

Division List, Ayes and Noes 1741

Words *added*:—Main Question, as amended, put, and *agreed to*:—Second Reading *put off* for six months.

Parliament—Public Business — Customs and Inland Revenue Bill — Question, Mr. Rylands; Answer, Mr. W. H. Smith 1744

Sale of Coal Bill—*Considered* in Committee:—Resolution *agreed to*, and *reported*:—Bill *ordered* (*Mr. Gourley, Mr. Palmer, Mr. Hamond, Mr. Dodds, Sir Henry Havelock, Mr. Ashbury*); *presented*, and read the first time [Bill 132] 1744

Chelsea Hospital Accounts Bill—*Ordered* (*Mr. Stephen Cave, Mr. William Henry Smith, Mr. Stanley*); *presented*, and read the first time [Bill 133] 1744

Local Government Provisional Orders, Briton Ferry, &c. (No. 4) Bill—*Ordered* (*Mr. Salt, Mr. Sclater-Booth*); *presented*, and read the first time [Bill 134] .. 1744

Local Government Provisional Order, Skelmersdale (No. 5) Bill — *Ordered* (*Mr. Salt, Mr. Sclater-Booth*); *presented*, and read the first time [Bill 135] .. 1745

Kingstown Harbour Bill—*Considered* in Committee:—Resolution *agreed to*, and *reported*:—Bill *ordered* (*Mr. William Henry Smith, Mr. Chancellor of the Exchequer*); *presented*, and read the first time [Bill 136] 1745

LORDS, THURSDAY, APRIL 27.

Sulphurous Acid—Her Majesty's Answer to the Address *reported* .. 1745
Felstead School — Dismissal of Rev. W. Grignon —Observations, Lord Campbell:—Short debate thereon 1746

COMMONS, THURSDAY, APRIL 27.

Royal Titles Bill—Notices, Mr. Cowen, Mr. Charles Lewis; Observations, Mr. Speaker 1757
Egypt—Papers, &c.—Question, Mr. Cowen; Answer, Mr. Disraeli .. 1758

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OWNERS OF LAND (ENGLAND)—THE NEW "DOMESDAY BOOK"—Question, Mr. Whitwell; Answer, Mr. Sclater-Booth 1758
THE CIVIL SERVICE—THE ORDER IN COUNCIL—CLAUSE 12—Question, Mr. O'Conor; Answer, The Chancellor of the Exchequer 1759
ARMY—MILITIA ADJUTANTS—Question, Mr. O'Shaughnessy; Answer, Mr. Gathorne Hardy 1759
ARMY—ARMY AND AUXILIARY FORCES—RETURNS—Question, Mr. J. Holms; Answer, Mr. Gathorne Hardy 1760
THE VALUATION BILL—SURVEYORS OF TAXES—Question, Mr. E. Hubbard; Answer, The Chancellor of the Exchequer 1760
THE "MISTLETOE"—THE CORONER'S JURY—Questions, Mr. Anderson, Sir John Scourfield; Answer, Mr. Assheton Cross 1761
FACTORY AND WORKSHOP ACTS—LEGISLATION—Question, Mr. Serjeant Simon; Answer, Mr. Assheton Cross 1761
ARMY—THE GUARDS—STOCK PURSE FUND ALLOWANCE—Question, Mr. Arthur Moore; Answer, Mr. Gathorne Hardy 1762
PUBLIC BUSINESS—THE BUDGET BILL—Questions, Mr. Rylands, Mr. Childers; Answer, The Chancellor of the Exchequer 1762
BARBADOES—THE RIOTS—Question, Mr. W. E. Forster; Answer, Mr. Disraeli 1763
ROYAL TITLES BILL—THE PROCLAMATION—Question, Mr. Anderson; Answer, Mr. Disraeli 1764
Moved, "That this House do now adjourn,"—(*Mr. Fawcett:*)—After debate, Motion, by leave, *withdrawn*.

Merchant Shipping Bill [Bill 49]—
Bill *considered* in Committee [*Progress 24th April*] 1779
After long time spent therein, Committee report Progress; to sit again *To-morrow*.

Publicans' Certificates (Scotland) (*re-committed*) **Bill** [Bill 115]—
Bill *considered* in Committee 1809
After short time spent therein, Bill *reported;* as amended, to be considered *To-morrow*.

METROPOLIS—HYDE PARK—THE SERPENTINE—RESOLUTION—
Order read, for resuming Adjourned Debate on Question [4th April],
"That the mounds at present being erected on the south of the Serpentine are unsightly, and will, when planted, be detrimental to the picturesque character of Hyde Park, and ought to be removed,"—(*Mr. Pease.*)
Question again proposed:—Debate *resumed* 1815
After short debate, Motion, by leave, *withdrawn*.

Game Laws Amendment (Scotland) Bill [Bill 123]—
Moved, "That the Bill be now read a second time,"—(*Lord Elcho*) .. 1815
Moved, "That the Debate be now adjourned,"—(*Mr. Dodds:*)—Motion *agreed to:*—Debate *adjourned* till *Thursday* next.

LIVERYMEN (CITY OF LONDON)—MOTION FOR A RETURN—
Moved, For a Return "Of the number of Liverymen in the City of London entitled to vote at the election of Members of Parliament for the City of London by reason of their patrimony, servitude, or purchase in any of the Companies, arranged in the order of their respective Companies:—Name of Company. Patrimony. Purchase or Redemption. Servitude,"—(*Mr. James*) 1816
After short debate, Motion *agreed to*.

County Rates (Ireland) Bill—*Ordered* (*Mr. Butt, Mr. Downing, Mr. Richard Smyth*); *presented*, and read the first time [Bill 138] 1816

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Island of Barbadoes—Reported Disturbances—Question, Observations, Lord Blachford; Reply, The Earl of Carnarvon:—Short debate thereon 1817

Gas and Water Orders Confirmation (Chapel-en-le-Frith, &c.) Bill [H.L.]—*Presented* (*The Lord President*); read 1ª, and *referred* to the Examiners (No. 59) .. 1828

Tramways Orders Confirmation (Bristol, &c.) Bill [H.L.]—*Presented* (*The Lord President*); read 1ª, and *referred* to the Examiners (No. 60) 1829

Tramways Order Confirmation (Wantage) Bill [H.L.]—*Presented* (*The Lord President*); read 1ª, and *referred* to the Examiners (No. 61) 1829

COMMONS, FRIDAY, APRIL 28.

Navy—Naval Officers Holding Civil Appointments—Question, Mr. Stacpoole; Answer, Mr. Hunt 1829

Army Medical Department—Veterinary Surgeons—Question, Mr. Stacpoole; Answer, Mr. Gathorne Hardy 1830

Police (Ireland)—Extra Force in Mayo—Question, Mr. O'Connor Power; Answer, Sir Michael Hicks-Beach 1830

Explosives Act, 1875—Explosion of Dynamite in South Wales—Question, Mr. Macdonald; Answer, Mr. Assheton Cross .. 1831

Aliens' Order in Council, 1873—Gibraltar—Question, Mr. O'Connor Power; Answer, Mr. J. Lowther 1831

Post Office—The Glasgow Post Office—Question, Mr. Anderson; Answer, Lord John Manners 1832

National Education (Ireland)—Teachers' Salaries—Question, Captain Nolan; Answer, Sir Michael Hicks-Beach 1832

Post Office—Telegraphs in Small Towns—Question, Mr. David Jenkins; Answer, Lord John Manners 1833

The Barbadoes Riots—Question, Mr. Thornhill; Answer, Mr. J. Lowther 1834

Mercantile Marine—Burglaries at Sea—Question, Captain Pim; Answer, Mr. J. Lowther 1835

Army—Forage Allowance—Question, Colonel Kingscote; Answer, Mr. Gathorne Hardy 1835

Army—Lieutenant Colonels of Depôt Battalions—Question, Colonel Kingscote; Answer, Mr. Gathorne Hardy 1836

Parliament—Commencement of Public Business—Question, Mr. Monk; Answer, Mr. Disraeli 1837

Mercantile Marine—Decision at Thames Police Court—Question, Mr. Bates; Answer, Mr. Assheton Cross 1837

Supply—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

India—The Bengal Famine—Motion for a Select Committee—

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, it is desirable that a Select Committee be appointed to inquire into the circumstances of the late famine in India, and into the various systems of relief adopted,"—(*Mr. Eustace Smith,*)—instead thereof .. 1838

After long debate, Question put, "That the words proposed to be left out stand part of the Question:"—The House *divided;* Ayes 149, Noes 46; Majority 103.

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

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SUPPLY—*considered* in Committee—REVENUE DEPARTMENTS AND ARMY PURCHASE COMMISSION (VOTES ON ACCOUNT)—

(In the Committee.)

(1.) Motion made, and Question proposed, "That a sum, not exceeding £1,370,000, be granted to Her Majesty, on account, for or towards defraying the Charge for the following Revenue Departments to the 31st day of March 1877, viz.:

	£
Customs	170,000
Inland Revenue	300,000
Post Office	550,000
Post Office Packet Service	150,000
Post Office Telegraphs	200,000
	£1,370,000."

Moved, "That the Chairman do now leave the Chair,"—(*Captain Nolan:*)—After short debate, Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

(2.) £100,000, on account, for the Army Purchase Commission.—After short debate, Vote *agreed to* 1879

Resolutions to be reported upon *Monday* next; Committee to sit again upon *Monday* next.

Merchant Shipping Bill [Bill 49]—

Bill *considered* in Committee [*Progress 27th April*] 1879

After short time spent therein, Committee report Progress; to sit again upon *Monday* next.

Admiralty Jurisdiction (Ireland) Bill [Bill 121]—

Moved, "That the Bill be now read a second time,"—(*Mr. Solicitor General for Ireland*) 1885

After short debate, Question put, and *agreed to:*—Bill read a second time, and *committed* for *Thursday* next.

Intoxicating Liquors (Licensing Law Amendment) (No. 2) Bill [Bill 116]—

Moved, "That the Bill be now read a second time,"—(*Sir Harcourt Johnstone*) 1886

Moved, "That the Debate be now adjourned,"—(*Mr. Onslow:*)—After short debate, Question put:—The House *divided;* Ayes 73, Noes 40; Majority 33:—Debate *adjourned* till *Friday* next.

LORDS, MONDAY, MAY 1.

Inns of Court Bill (No. 47)—

Moved, "That the Bill be now read 2ª,"—(*The Lord Selborne*) .. 1892

After short debate, Motion *agreed to:*—Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Monday the 15th instant.*

General School of Law Bill (No. 48)—

Bill read 2ª, and *committed* to the Committee on Inns of Court Bill.

Irish Peerage Bill (No. 32)—

House in Committee (according to Order) 1894

Amendments made; the Report thereof to be received on *Monday* next; and Bill to be *printed,* as amended. (No. 65.)

COMMONS, MONDAY, MAY 1.

PARLIAMENTARY BOROUGHS (IRELAND)—Question, Mr. Stacpoole; Answer, Mr. Disraeli 1906

NAVY — ARREST OF SEAMEN — LEAVE-BREAKING — Question, Mr. P. A. Taylor; Answer, Mr. Hunt 1907

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Army — Yeomanry Adjutants — Question, Mr. Ridley; Answer, Mr. Gathorne Hardy 1908

Mercantile Marine — Merchant Seamen Deserters—Question, Captain Pim; Answer, Mr. Bourke 1909

United States — Extradition Treaty — Case of Winslow — Question, Sir Henry James; Answer, Mr. Assheton Cross 1909

Rivers Pollution — The Clyde—Question, Mr. Ripley; Answer, Mr. Assheton Cross 1909

National Education (Ireland)—Teachers' Salaries—Question, Captain Nolan; Answer, Sir Michael Hicks-Beach 1910

Public Health (Ireland)—City of Dublin—Question, Mr. O'Leary; Answer, Sir Michael Hicks-Beach 1910

Law and Justice — Irish Ante-Union Statutes — Question, Mr. P. Smyth; Answer, The Solicitor General for Ireland 1911

Spain—Case of the "Octavia"—Question, Mr. Serjeant Simon; Answer, Mr. Bourke 1912

Parliament — Commencement of Public Business — Observations, Mr. Disraeli 1912

Merchant Shipping Bill [Bill 49]—

Bill *considered* in Committee [*Progress* 28*th April*] 1913

After long time spent therein, Committee report Progress; to sit again upon *Thursday*.

LORDS, TUESDAY, MAY 2.

University of Oxford Bill (Nos. 16, 45, 51)—

Amendments *reported* (according to Order) 1949

Further Amendments made; Bill to be read 3ª on *Thursday* next; and to be *printed*, as amended. (No. 68.)

The Royal Titles—Observations, Lord Selborne; Reply, The Lord Chancellor:—Short debate thereon 1953

Provisional Orders (Ireland) Confirmation Bill [H.L.]—*Presented* (*The Lord President*); read 1ª; and *referred* to the Examiners (No. 67) 1981

All Saints, Moss, Bill [H.L.]—*Presented* (*The Lord Archbishop of York*); read 1ª (No. 70) 1981

COMMONS, TUESDAY, MAY 2.

The Royal Titles Act — Questions, Sir Henry James, Sir Charles W. Dilke, Mr. Osborne Morgan; Answers, The Chancellor of the Exchequer, Mr. Disraeli, The Attorney General 1982

Peru—Crew of the Steamship "Talisman"—Question, Mr. Gorst; Answer, Mr. Bourke 1985

National Teachers (Ireland) Act, 1875 — Non-Contributory Unions—Question, Captain Nolan; Answer, Sir Michael Hicks-Beach .. 1986

Parliament — Commencement of Public Business — Observation, Mr. Seely; Reply, Mr. Disraeli 1986

Civil Departments (Employment of Soldiers)—Motion for a Select Committee—

Moved, "That a Select Committee be appointed to inquire,—

"1st. How far it is practicable that Soldiers, Sailors, and Marines who have meritoriously served their Country should be employed in such Civil Departments of the public service as they may be found fitted for;

"2nd. How far it is practicable, in order to form and retain an efficient Reserve Force, for the State to become the medium of communication between private employers of labour and Soldiers of the Army Reserve and Militia Reserve who desire to obtain employment:

"And that the Committee be directed to report on the best means of carrying these objects into effect,"—(*Sir Henry Havelock*) 1987

After short debate, Motion, by leave, *withdrawn*.

Select Committee *appointed*, "to inquire how far it is practicable that Soldiers, Sailors, and Marines who have meritoriously served their Country should be employed in such Civil Departments of the public service as they may be found fitted for,"—(*Sir Henry Havelock.*)

And, on May 15, Committee *nominated*:—List of the Committee .. 1997

River Gambia—Resolution—

Moved, "That it is expedient that the British possessions on the Gambia be placed on a satisfactory footing, and that, in the interests of commerce, communication be opened up by that river with the interior of Africa,"—(*Mr. Alderman M'Arthur*) .. 1998

After short debate, Motion, by leave, *withdrawn.*

Law and Justice—Case of Mr. Wilberforce—Resolution—

Moved, "That, in the opinion of this House, it is not desirable that Reginald Garton Wilberforce, esquire, should continue on the Bench of Magistrates,"—(*Mr. P. A. Taylor*) 2008

After debate, Question put:—The House *divided;* Ayes 19, Noes 100; Majority 81.

Privy Council (Oaths taken by Members, &c.) — Mr. Lowe's Speech at Retford—Address for Returns—

Moved, "That an humble Address be presented to Her Majesty, that She will be graciously pleased to give directions that there be laid before this House, Returns of the form of the Oath or Oaths taken by persons sworn Members of the Privy Council:

"And, showing the respective dates when the following persons were sworn in as Members of the Privy Council: — The late Edward Geoffrey Smith-Stanley Earl of Derby, the late Viscount Palmerston, the Right honourable John Earl Russell, the Right honourable Member for Bucks, the Right honourable Member for Greenwich, and the Right honourable Member for the University of London."—(*Mr. Charles Lewis*) 2023

After debate, Question put:—The House *divided;* Ayes, 91, Noes 37; Majority 54.

Tenant Right at the Expiration of Leases (Ireland) Bill [Bill 84]—

Moved, "That the Bill be now read a second time,"—(*Mr. Mulholland*) .. 2040

After short debate, [House counted out.]

LORDS.

Representative Peer for Ireland. (*Writ and Return.*)

Friday, March 17.

Lord Massy, *v.* Viscount De Vesci, deceased.

COMMONS.

NEW WRITS ISSUED.

Friday, April 7.

For *Norfolk* (Northern Division), *v.* the Hon. Frederick Walpole, deceased.

Monday, April 10.

For *East Cumberland*, *v.* William Nicholas Hodgson, esquire, deceased.

Tuesday, April 25.

For *Aberdeen County* (Western Division), *v.* William M'Combie, esquire, Chiltern Hundreds.

NEW MEMBERS SWORN.

Thursday, April 27.

Norfolk County (Northern Division)—James Duff, esquire.

Monday, May 1.

Cumberland County (Eastern Division)—Edward Stafford Howard, esquire.

HANSARD'S

PARLIAMENTARY DEBATES,

IN THE

THIRD SESSION OF THE *TWENTY-FIRST PARLIAMENT* OF THE
UNITED KINGDOM OF *GREAT BRITAIN* AND *IRELAND*,
APPOINTED TO MEET 5 MARCH, 1874, AND THENCE CONTINUED
TILL 8 FEBRUARY, 1876, IN THE THIRTY-NINTH YEAR OF
THE REIGN OF

HER MAJESTY QUEEN VICTORIA.

SECOND VOLUME OF THE SESSION.

HOUSE OF COMMONS,

Wednesday, 15*th March*, 1876.

MINUTES.] — SELECT COMMITTEE — Oyster Fisheries, Lord Claud Hamilton and Mr. Fuller Maitland *added.*

PUBLIC BILLS — *Ordered* — *First Reading*— Small Testate Estates (Scotland) * [107].

Second Reading—Church Rates Abolition (Scotland) [25], *put off;* Divine Worship Facilities [30], *debate adjourned ;* Open Spaces (Metropolitan District) * [86].

Second Reading—Referred to Select Committee— Burghs and Populous Places (Scotland) Gas Supply [5].

Considered as amended—Manchester Post Office * [100].

UNREFORMED MUNICIPAL CORPORATIONS—LOSTWITHIEL.

EXPLANATION.

SIR CHARLES W. DILKE said, he had an explanation to make with regard to his recent statement on the subject of unreformed Municipal Corporations. Some of his allegations had been called into question by members of nearly one-third of the Corporations concerned; but after careful investigation he was prepared to confirm or even strengthen all of them, with one exception. He had stated that the present Vicar of Lostwithiel was appointed for a period of only six years. When he made that statement he had every reason to believe it was accurate; but from fuller and more authoritative information he was satisfied that no arrangement had been made or suggested by which the Vicar was to resign at any time on behalf of any person. The statement was not lightly made, but was based on evidence drawn from different quarters, and was supported by circumstances which appeared to him to confirm it. He was now, however, convinced that, although apparently perfectly corroborated, it was in fact erroneous, and he felt it to be his duty to say so in the House.

BURGHS AND POPULOUS PLACES (SCOTLAND) GAS SUPPLY BILL.

(*Sir Windham Anstruther, Mr. Orr Ewing, Mr. Grieve, Mr. William Holms.*)

[BILL 5.] SECOND READING.

Order for Second Reading read.

SIR WINDHAM ANSTRUTHER, in moving that the Bill be now read the second time, said: The object of the Bill that I now beg the House to read a second time is to empower municipal authorities of burghs in Scotland to manufacture and supply gas for public and private purposes. This they cannot do at present without applying to Parliament and obtaining a private Act—a costly proceeding, involving an outlay under the most favourable circumstances of from £500 or £800, and acting as a complete bar to the local authority in the small Scotch burghs, where the ratepayers are desirous of having the gas supply under their control, from obtaining such a useful privilege. The Bill does not apply to any burgh, or to any part of a burgh, or to any district in which a municipal authority or a gas company, having statutory powers, are supplying or are authorized to supply gas. When the Commissioners, the local authority under the Bill, have obtained the consent of the ratepayers, and it is left with the ratepayers to decide whether the Bill shall be adopted, or not, they may erect gas works, and they may purchase gas works established in the burgh of which they are the local authority. Every care has been taken in the Bill to protect existing rights and interests, for, unless this had been done, the Bill would not be an enabling, but a confiscatory measure. In the burghs where there are companies established by private enterprize supplying gas, it is optional with the shareholders to sell their undertaking to the Commissioners; but it is compulsory on the Commissioners not only to make an offer to purchase, but to purchase existing gas works, if the shareholders consent to sell, before they can avail themselves of the provisions of the Bill. The Commissioners and the shareholders of a gas company are free to make their own bargain; but, when there is a difference of opinion as to the price to be paid for the undertaking, that price is to be fixed by arbitration. It is only when the shareholders of a gas company refuse to sell their undertaking that the Commissioners can erect their own gas works. The Bill is a general Bill, applicable to all the burghs in Scotland, in which it can be applied, no two alike; and it has been found impossible to fix any hard-and-fast lines. The Commissioners are elected by the ratepayers; one-third are elected annually; they are themselves in many instances the largest ratepayers, and this is the best guarantee against extravagant mismanagement or an exorbitant price being charged for gas. By the Bill no profit can be derived from any gas undertaking when acquired by the Commissioners, and whenever the receipts of any year exceed the expenditure, the rates charged for gas in the following year must be reduced, so that the annual revenue received shall balance the annual expenditure. I think it right to mention that, by an oversight on my part, an important omission has been made in the Bill, which I propose to rectify in Committee. As the consumers of gas will receive all the benefit when there is a profit, so will they have to bear the loss, by paying an increased price for gas in any year in which there has been a loss on the preceding year. There are various other clauses in the Bill for the protection of the shareholders, when the Commissioners have become possessed of the undertaking of a gas company, for the guidance of the Commissioners and the gas consumers; but, as the Bill is one of details, and as these will be considered at a future stage of the Bill, I will not now detain the House by any allusion to them. It may be asserted that this Bill confers too great powers on the local authorities; but in the Police and Public Health Acts, powers as large and as extensive have already been entrusted on them by Parliament. The result had been pre-eminently satisfactory. This Bill is nothing more or less than a very slight addition to those powers which have been used so wisely and so well. If allowed to become law, it will be considered as a great boon to Scotland, and be the means of saving many thousands of pounds to the ratepayers in that country. With the assistance of my right hon. Friend the Lord Advocate, to whom I am under very great obligations for the aid he has given me in preparing the Bill, and to whom

I beg to offer my sincere thanks, and, with the assistance of hon. Members on both sides of the House, I hope that the Burghs Gas Supply Bill may become law during the present Session.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir Windham Anstruther.*)

GENERAL SIR **GEORGE BALFOUR** said, he fully recognized the great benefit which Scotland would derive from the powers which the Bill would confer upon the local authorities, but at the same time he could not but be aware that there was great danger that the interests of shareholders in existing Gas Companies might be injuriously affected. It was for the purpose of protecting those interests that he had given Notice of a a series of Amendments. It was of the greatest importance that the Bill should be carefully considered, and therefore he hoped no objection would be made to the proposition of the hon. Chairman of Committees that the Bill should be referred to a Select Committee.

SIR **EDWARD COLEBROOKE** said, he approved of the general object of the Bill which had been brought in by his hon. Friend and Colleague, and the opposition he had felt bound to offer to a similar Bill last year proceeded from no objection to its principle. Had the Bill been passed as it was originally introduced, probably he should not have said a word against it; but later in the Session it re-appeared in a new form, which he conceived injuriously affected the interests of his constituents inhabiting the burghs which surrounded the City of Glasgow, and therefore he took that step which had proved fatal to the measure. The Bill proposed that the powers conferred should not be applicable where any adjoining burgh possessed statutory powers of supplying gas to it; and as Glasgow had such powers, the prohibition would prevent the adjoining burghs from supplying themselves. He agreed with the hon. and gallant Member for Kincardine that the Bill could very properly be referred to a Select Committee.

MR. **RAIKES** said, this was a Bill of considerable interest, not only to Scotland, but to other parts of Her Majesty's dominions, because it raised in rather a peculiar manner the question of the expediency of vesting as far as possible in the local authorities the control of the gas, or it might also be the water supply, of burghs and populous places. He thought the tendency of public opinion during the last few years had been setting more or less strongly in that direction, and it had become almost an axiom of public policy that, wherever it was possible, it would be better that these powers should be in the hands of the local authorities rather than in those of private companies. Great difficulties, however, frequently arose with regard to the action of municipal authorities in matters of this kind, as compared with private Companies, in passing their measures through Parliament, owing to the fact that municipal bodies were more or less placed under the strict surveillance of the public Departments, such as the Local Government Board and the Board of Trade, in cases where the interests of the ratepayers were supposed to be directly interested. Therefore he hailed with some satisfaction any step that would facilitate the construction or transfer of such works as these to the municipal authorities. At the same time, he could not fail to see that in this Bill it was proposed to take rather a novel step—a step somewhat in the direction of what was sometimes called "Home Rule." It was proposed by Clause 19 of the Bill to transfer the jurisdiction and authority exercised by this House to a local authority in the neighbourhood which was to be affected by these measures; because the Commissioners whom it was proposed to appoint for the purpose of supplying gas were to go before the Sheriff with a view to obtaining a decree from him to enable them to erect gasworks in the case of a burgh where there existed at present an independent Company not incorporated by Act of Parliament. The principle involved was one of some importance; and it was certainly an innovation upon the practice that had hitherto prevailed with regard to Private Business, which the House should not easily and lightly, and as a matter of course, assent to. He thought that if the measure were to become law in anything like its present shape, it would be necessary to consider the case of Ireland, and also that of England, with regard to cognate measures; and therefore the House would see that it was a matter which concerned not Scotland alone, but those other parts of Her Majesty's dominions. The hon. Baronet the Member for Lanarkshire (Sir Edward Colebrook) had objected to certain exceptions in Clause 2. This was a matter purely of Scotch or local interest. He had never known any matter of Private Business that produced so much interest among Scotch Members as this question between Glasgow and its neighbouring burghs. Therefore, if the House should adopt the suggestion he would presently make to send the Bill to a Select Committee, it would be desirable that the Committee should be in a great degree composed of Scotch Members. Since, however, the matter was one which might come to interest districts in England and Ireland, consisting of a large town with a number of smaller suburban districts around it, he thought it would be desirable to secure such a Committee as would speak with authority on the subject, and whose deliberations might be a guide to the House if any further steps had to be taken.

Mr. ORR-EWING said, he was authorized by the hon. Baronet who had brought in the Bill (Sir Windham Anstruther) to state that he had no objection to refer the measure to a Select Committee. The objections which had been taken by the hon. Baronet the Member for Lanarkshire (Sir Edward Colebrooke) were scarcely objections to the Bill, but rather to the City of Glasgow, which was in a peculiar position in regard to the supply of gas to the neighbouring burghs. The Committee, however, would have it in their power to consider all Petitions and Memorials from persons interested.

Motion *agreed to.*

Bill read a second time.

Mr. RAIKES, in moving that the Bill be referred to a Select Committee, explained that he had not suggested that the majority of the Members should be Scotch Members.

Motion *agreed to.*

Bill *committed* to a Select Committee.

And, on March 21, Committee *nominated* as follows:—Mr. Massey, Mr. Salt, Sir John St. Aubyn, Mr. Goldney, Mr. Rodwell, Sir Edward Colebrooke, Mr. Ion Hamilton, Mr. Campbell-Bannerman, Mr. Whitelaw, Mr. Cawley, Mr. Grieve, Mr. O'Shaughnessy, and Sir Windham Anstruther:—Three to be the quorum.

CHURCH RATES ABOLITION (SCOTLAND) BILL.—[Bill 25.]

(*Mr. M'Laren, Dr. Cameron, Mr. Baxter, Mr. Trevelyan, Mr. Grieve, Mr. Laing, Sir George Balfour.*)

SECOND READING.

Order for Second Reading read.

Mr. M'LAREN, in rising to move that the Bill be now read a second time, said: Some exception has been taken to this course on the ground that the Bill which has been introduced by the Lord Advocate respecting ecclesiastical assessments in Scotland relates to the same subject. Certainly, I do not know of any difference in meaning between the two terms, and if the Bill of the Lord Advocate was to turn out to be a good Bill I should be quite pleased to take it with its new title. All legal burdens on land in Scotland are commonly called "assessments," while in England legal burdens laid on land for local purposes are called "rates." The meaning of both terms is precisely the same, and I do not quarrel with new name if the Bill be good in other respects. Church rates are laid on in Scotland for building and repairing churches and manses, or parsonages; and for pulling them down where a new one is thought to be needful. These burdens are very onerous, amounting in many cases to large sums. I have known rates as high as 10*s.* per pound of real rent to have been levied upon the rental in one year in a particular case, and very often they are as high as 2*s.* 6*d.*, 3*s.*, and 3*s.* 6*d.* I have a whole bundle of letters, which would enable me to give to the House a great deal of information on the subject of church rates if I thought it were needful, and would materially affect the question before us. But I do not think that any information of that kind which I could give would materially affect the question, because I desire that it should be treated as one of principle, and not as one respecting any oppressive burden in a particular case. In Scotland there is no power to refuse to lay on a church rate as there was in England. In England the church rate was required, not for the very extensive purposes for which, as I have mentioned, it is required in Scotland, but for smaller ones, and requiring only a small expenditure. Moreover, before that rate could be laid on it was necessary to get the consent of the majority of the ratepayers, and in many instances that consent was refused, and consequently the payment of church rates practically came to be a nullity in many portions of the country. Therefore the grievance in Scotland is much greater than it was in England, and of course the necessity for its removal is the more urgent. Church rates in Scotland apply to every kind of property—to cottages of £4 rental, and even to those of smaller rental, if the local authorities choose to to impose it upon them. The assessment of the smaller properties has been aggravated by an Act passed 25 years ago, called the Lands Valuation Act. There had been no general valuation made since the time of Charles II., and these ecclesiastical assessments were laid on property according to the value at which it stood at that period. But the Lands Valuation Act requires a strict valuation of all lands in Scotland from year to year at the actual rack rent, and all assessments are laid on in accordance with that valuation. Hon. Members from Scotland know that previous to the passing of that Act the small properties were in practice exempted, though it is a question amongst lawyers whether they were not legally liable. I do not, however, enter into that question; but it was not the practice to assess them, and in some parishes they are not assessed even at the present time. But that same Act, which required all rates to be laid on according to the new valuation, contained a very important clause, which provided that no new burden should be imposed by virtue of that new mode of assessment which was not exigible under the former state of the law. It is difficult for a non-legal person like myself to see how this clause, although balanced by one of an apparently opposite nature, should have been so completely overridden by the other, as it has been in practice. The effect has, however, been that hundreds and thousands of small properties are now charged with rates for building and repairing churches and manses which were not formerly so charged. These rates are in principle condemned by public opinion in Scotland, and are regarded as a violation of civil liberty, as imposing charges for the benefit of a small and favoured section of the community at the expense of the many. For example, the ministers of all other denominations are charged with a rate to build a house for their brother parish clergyman, who may be living within a few hundred yards of them; but when a Dissenting or Episcopalian minister wants a manse or parsonage, he and his congregation must find the money themselves. I do not mean to say anything at all disrespectful of the Established Church. I wish to state the case fairly, and wholly apart from the question of Disestablishment. Personally, I am in favour of Disestablishment; but I confess I do not think the present measure will tend to produce that result. On the contrary, I think it will rather tend to delay it, inasmuch as it will put the people in a better humour as regards the Established Church of Scotland. I am not going to calculate or assert how many Church people or how many Dissenters there are in Scotland, because I do not think the numbers can be accurately stated. You can, however, make a very good approximation to the relative proportions by taking into account the number of ministers of each denomination in Scotland. I have not referred to Church publications on any side; I have referred only to *The Edinburgh Almanack*, a valuable statistical work of great authority for accuracy. In that work, however, no summary is given of the total numbers of ministers of the different denominations, but only their names, and I have consequently had to add up the numbers. Any mistakes made must be trifling, and they will be mine. I thus find that in the Established Church of Scotland there are 1,340 ministers of all kinds, but of these there are only about 1,000 who are endowed from public sources, and fewer whose churches and manses are maintained out of church rates. About 340 of these ministers, taking the round numbers, have what are called *quoad sacra* churches or chapels of ease. These churches and chapels have, it may be said, to the credit of the Church of Scotland, been in most cases erected through voluntary exertions, and also endowed to a small extent out of moneys raised by the denomination. Still the fact remains that the number of ministers and churches and manses with which my Bill is connected is about 1,000. The measure does not affect the others at all. The Free Church and the United Presbyterians have 1,480 ministers between them—that is, they have 140 more ministers than the Established Church has. In form of worship and everything about them these Churches are identical with the Church of Scotland. [Mr. ORR-EWING: Will the hon. Member separate the two Churches? They are separate Churches.] The number of the Free Church ministers is about 968, and the number of the United Presbyterian ministers is about 512. There are above 100 United Presbyterian churches in England connected with Scotland, but I do not take them into account. Then there are three smaller bodies of Presbyterians professing the same creed; they have 140 ministers, making 1,620 unendowed Presbyterian ministers, against the 1,000 who are endowed. Besides these 1,620, there are the Congregationalists, Baptists, and Wesleyans, with 220 ministers, bringing up the number of unendowed Protestant ministers in Scotland to 1,840. Then we come to the Episcopal Church of Scotland, which has a different form of worship. There are 195 Episcopalian ministers in Scotland. Thus we have got 2,035 Protestant ministers preaching substantially the same doctrines, and maintaining the Gospel ordinances for themselves in all things at home and abroad without aid from the State, to compare with the 1,340 ministers of the Established Church of Scotland. I said at the outset that I would not attempt to state the number of members of the different sects in Scotland. I offer these figures as an approximation to the true proportions, and as undoubted facts; and each hon. Member may, for himself, infer from these facts what are the proportional numbers of the various Protestant bodies in Scotland. Lastly, there are the Roman Catholic clergy, 210 in number, making in Scotland altogether 2,245 non-Established ministers of religion. I take that as the best comparison that can be made without counting heads; but if you are to consider the particular point raised by the Bill now before the House, as to how many obtain a benefit and how many sustain injury, you require to deduct the 340 *quoad sacra* churches and chapels of ease from the 1,340 belonging to the Church of Scotland, and you require to add them to the 2,245 non-endowed ministers; and thus you make up 2,585 ministers who have no connection with the 1,000 favoured churches; and all these 2,585 ministers are assessed for building, maintaining, and repairing churches and manses belonging to the 1,000 endowed ministers. I do not, however, hold these figures to be an exact test of the comparative numbers; indeed, I do not think they are quite fair to the Established Church, for two reasons. In the first place, some of the other Bodies have two ministers to one congregation, and this is the case especially in the Episcopalian and Roman Catholic Churches. To that extent the figures taken literally would place the Established Church at a slight disadvantage. Another reason is, that in some of the smaller sects which I have enumerated the congregations are extremely small. This, however, is not altogether peculiar to them, because the congregations of the Church of Scotland in the Northern counties, and in different parts of the Highlands and islands, are so small as, in many cases, to be almost invisible. The officers are there, but the men are wanting. This circumstance may therefore, I think, be set against the small numbers of certain dissenting congregations, but, of course, hon. Members may make what deductions they please on account of the two reasons I have referred to. Having regard to these circumstances, I think hon. Members will see that the time in which we live, when all parties in the State profess their desire to do justice between man and man, nothing can be said in favour of levying rates on the Nonconformists of Scotland, and on the Episcopalians and Roman Catholics and all other Dissenters, for the support of a comparatively small number of ministers of the Established Church. As to the nature of the present Bill, I may say that it is a moderate one, and is exactly the same in all respects, as far at least as Scotch legal phraseology will allow, as the English Church-rates Abolition Bill which was passed several years ago. By that Act church rates were not expressly abolished. They may continue to be levied, but any person who disapproves of the payment is at liberty to say—

"I decline to pay them." Well, this Bill for Scotland contains the very same provisions, and I do not see how what is right for England can be wrong for Scotland. It is said that many of the large landowners do not object to pay. I admit that. But they will not be interfered with by the Bill, because the receipts will be sent to them for payment after the passing of the Bill just the same as at present. I have, however, been informed privately of the names of many large landowners, including several Members of the other House of Parliament, who are very friendly to the abolition of these rates, and who would, in fact, be delighted to see them abolished. With regard to this point, I may mention that a question of a kindred nature arose when another Scotch Bill was passing through Parliament. There was a rate which had been levied for more than a century to make the land of every parish pay for the support of a school and a schoolmaster. These rates were established by various Acts of Parliament, which required the work to be done, and I was one of those who thought that this burden—not created by mere usage and technicalities, as the church rate has practically been, but established by various Acts of Parliament requiring the work to be done—should be allowed to remain. I stated my views, and gave Notice of an Amendment on the subject, but it was dropped for want of support. It was stated at that time that many of the landowners did not wish to be relieved from the rate, but the Bill was passed without any reservation, and all the landowners accepted their share of the £50,000 a-year from which they were relieved, being, no doubt, very glad to get relief. The same thing will occur in the case of church rates in the event of the Bill passing into a law. The Established Church people ought to keep their churches and manses in repair as all the other sects do, more especially as they are relieved from any obligation to support their own ministers—a burden imposed on all the other Churches. The Free Church, as I see from their authorized publication, paid last year, £210,000 for ministers' stipends. The amount for the Established Church, paid by the public, is much larger; and I could show, if needful, that it is above £300,000. The Established Church congregations, being relieved from this payment for the support of their ministers, ought to be much better able than the other religious Bodies to maintain their own churches and manses. Within 33 years, besides maintaining the Gospel for themselves, the Free Church have erected about 900 places of worship at their own expense, and nearly as many manses. They have also erected a large number of schools and four colleges, and they have done a great deal in promoting the Gospel abroad by sending missionaries to various parts of the world. I mention these things, not for the glorification of the Free Church, but to show how much better able the Established Church people ought to be to maintain their own buildings than the members of the other denominations are. Having referred to the stipends of the Free Church ministers, I may mention that I have been informed on good authority that their stipends are larger on the average than the stipends paid to the ministers of the Episcopal Church, although that Church contains a large proportion of the principal landowners in Scotland. I may say the same of the United Presbyterian Church, whose ministers' stipends are as large in proportion as those of the Free Church. And now I have to say a few words about the history of this Bill. When it was first brought in it was very much pooh-poohed. It was at first opposed by the Liberal Government, but in another Session it was accepted by them, and carried by a majority on the second reading. That Government promised to take up the question, but they brought in no Bill. When the present Government came into power the same Bill was being pressed to a second reading. The Government opposed it, and the Lord Advocate, after promising that the Government would be prepared to deal with the question in the next Session, begged that I would not press my Motion to a division. I consented to the request on that undertaking, and accordingly withdrew the Bill. In the next two Sessions, however, the Government did not fulfil their promise; but I am very glad that this year they have brought in a Bill connected with this subject, because it is an admission that a grievance exists which ought to be remedied. I was presented with a copy of the Lord Advocate's Bill as I was entering the House, and I have just glanced through it. I admit that as far as it goes it will effect some improvement. It will be putting things pretty much in the same state as they were in before the passing of the Lands Valuation Act. It will keep the smaller feuars out of the assessment roll, and thereby remove their grievance. The land which is worth 1*s*. an acre for feeding sheep is frequently feued, along the Clyde, at £30 an acre for building on. This is a great advantage to all the other landowners in the parish, because it diminishes the rate they have to pay. There is no moral right to assess the house built upon the land any more than there is to assess a ship, and so far this part of the Bill will be a relief to all such feuars. As to the proposal for raising an assessment by money borrowed for 20 years, I have great doubts of the wisdom of such a course, because I think that when an assessment of this kind is imposed on anyone he likes to pay and have done with it at once. I do not wish to say anything now against my right hon. and learned Friend's Bill, nor do I wish to commit myself generally in its favour, except that it goes a certain way towards mitigating evils which exist. I have pressed my Bill to a second reading because it is a Bill for the total abolition of the rate, and because I believe, in common with the great majority of my countrymen, that the rate is unjust in principle. If the strength of the Government should throw out my Bill, as I have no doubt it can, then their own Bill will come before the House for discussion, and my efforts shall be directed to making it practically useful. I now beg to move, in conclusion, that the Bill be read a second time.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. M'Laren.*)

SIR WILLIAM CUNINGHAME, in moving that the Bill be read a second time that day six months, said, that the difficulties of the task he had undertaken were considerably lightened by the fact that almost everything which could possibly be said on the question had already been said in recent times, and, therefore, the House was well acquainted with the merits of the case. Very few words on the true position of the question—now perhaps a little obscured by the plausible form in which it had been presented by the hon. Member for Edinburgh—were all that would be required in opposition to the Bill, which was simply a proposal to enrich the landowners of Scotland at the expense of the National Church. The hon. Member for Edinburgh, in his Bill, proposed to abolish what he was pleased to call church rates. He (Sir William Cuninghame) did not quarrel with the term, though it had been objected that "rates" was not the legal name in Scotland for these charges, and the only object he could conceive he could have in using the term was to disguise, if he could, the fact that church rates in Scotland were charges of a very different character from church rates in England. The hon. Member proposed to abolish these charges for one reason alone, as far as he understood him, or at all events for one reason alone which lay on the surface—that was to benefit the Nonconformists of Scotland. That was the only reason that could be clearly proved, but he could not resist the suspicion that the desire to injure the Established Church, to undermine one of her props, and to accelerate the arrival of the time so ardently desired by her enemies, when she would be cast out like Hagar into the wilderness, disestablished and disendowed, had a good deal to do with the present movement. He (Sir William Cuninghame) did not accuse the hon. Member himself of being actuated by that motive, but he had little doubt it entered largely into the ideas of those who pushed him forward to undertake this crusade. The hon. Member considered it very hard that Nonconformists should be called on to pay out of their own means towards a Church from which they dissented, and if the hon. Member's premisses were true it would be difficult to resist his conclusion. But he (Sir William Cuninghame) entirely denied that there was any question of making the Nonconformist landowner or feuar or anybody pay money out of their own pocket for the benefit of the Church. The hon. Member's proposal was based on an erroneous assumption. These payments were not made out of the pocket of the payer, but were of the same character as tithes, permanent rent-charges, permanent burdens settled by the State in favour of the Established Church. They were, in no sense of the word, the property of the proprietors of Scotland, but, on the contrary, were the property of the nation for the benefit of the Church. They were imposed at the Reformation, and had ever since been paid by landed proprietors, and enforced by law when necessary. It seemed to him that it was impossible to view the liability in any other light than as a permanent burden on the landed property of the country, arranged by their pious predecessors, whose pride it was to devote part of their wealth to the upholding of the worship of God. Under this burden, as well and in the same way as under other burdens, properties had been bought and sold and received by inheritance; and it seemed to him out of the question that the temporary owner could now be allowed to lay violent hands on that part of his estate, which did not belong to him, and contend, when he paid it, that he was paying his own money to the fund, instead of, as was the truth, merely handing over part of that which he held in trust for the benefit of the Church. It made, to his mind, no difference whatever whether the proprietor was a Nonconformist or a Churchman; he was merely, to the extent of the amount of his burdens, a trustee for others; and because he might be a Dissenter, that was no reason that he should be allowed to put into his pocket money which belonged to somebody else. It was, of course, quite true that church rates had always been imposed in very uncertain amounts and at very uncertain intervals; and that might, perhaps, be one of the reasons which had persuaded people that they differed from other burdens; but that was a peculiarity by no means confined to church assessments. Many other rent-charges—notably fines on succession—were similar, but nobody ever dreamt of calling them less of a burden on that account. He contended then, that these charges were a burden on the land, and were in no sense the property of the owner of the land, but were the property of the State and the Church. If that argument commended itself to the acceptance of the House, what became of the grievances of the Nonconformists? Was it a grievance to give up that which was never your own? And how did the proposal of the hon. Member look? Was it not an invitation to annul a trust in favour of the Church, and to make a handsome present to the landowners of Scotland? He wanted to know what the landowners of Scotland had done to be treated so generously? They were very excellent people, no doubt, as a class, but he could not see why Parliament should be asked to bestow on them, of all people in the world, any part of the public property. If this property must be taken from the Church—and he for one could see no reason for it—let it be devoted to some useful national object. It was objected that it was unfair that owners, who had built houses on their land, should be assessed upon the improved value which they had given to their property by building upon it. He wished he could accept that view, as it seemed to offer a basis for a reasonable compromise. He could not, however, see any difference between improved property and any other proprietors. The law of Scotland was very explicit on the point, and had decided that all property should pay, not on its original but on its improved value. He thought it a misfortune that superiors should have been allowed to split up the charge and pass it on to the feuars; but the feuars knew their liability when they made their bargains for their feus, and improved their properties with the distinct knowledge that their improvements would be liable to the charge. It had been urged that it was especially hard on them, as they only began to be generally assessed after most of them had left the Church—that was to say, after the Disruption of 30 years ago. But that was a complete error. The law long before that made feuars liable. Indeed, he believed the first decision to that effect was given two centuries ago, and the same view was taken in several legal decisions on that point during last century. They had always been liable, they were still liable, and he could see no reason for making all feuars a handsome present and relieving them of the charge. In making these observations in regard to the feuars, he did not forget the desire expressed last year by himself and others in favour of relieving the smaller feuars from the burden. He saw many difficulties in the way, but would be glad if they could be overcome, and if the right hon. and learned Gentleman the Lord Advocate, who had now a Bill before the House dealing with the question with that object in view, succeeded in producing a satisfactory measure which would relieve the poorer classes without sacrificing principle, he would be glad to vote for it. He now desired to allude for a few moments to the argument which had always been a prominent one in this controversy, and used with great effect by those who advocated this change to impress the minds of those who were not thoroughly acquainted with the case—he meant the comparison which had been drawn between the case of Scotland and the case made for abolition of church rates in England eight years ago. He alluded to it only to dismiss it as not being a parallel case. He quite admitted to his hon. Friend the Member for Falkirk (Mr. Ramsay), that the two assessments were alike in their antiquity, in their incidence, and generally in the objects to which they were devoted. But they were unlike in the most important point of all—the assessment in Scotland had always been a burden upon the land, while the English arrangement was a mere personal voluntary contribution on the part of the parishioners. The one could not be abolished without an Act of Parliament; the other might have been abolished at any moment by the wish of the majority of the parish. The one—the Scotch plan—had in it an element of perpetuity; the other—the English plan—had to be renewed every time money was wanted for these purposes by popular vote. He contended that no parallel could be drawn between cases so different. In England, church rates could be abolished without touching any vested interests whatever, because none could be created where the subscriptions were entirely optional; whilst in Scotland these charges could not be abolished without interfering with a perfectly legal burden, deliberately settled by law, and which could not be abolished without setting a precedent which would shake the security of all settled property for the future. The security of all property depended upon the law, and the respect which the House of Commons had hitherto paid for the most part to the law. If that respect was withdrawn, the security of all property came to an end. The abolition of English church rates only deprived the majority of the power of coercing the minority; but the abolition of church assessments in Scotland would sweep away a right of property which had existed in that country for centuries. Under these circumstances, it was unnecessary to follow the argument that the English Act had worked well—though possibly a good deal might be said on the other side. He thought the House would see that the proposal of the hon. Member for Edinburgh (Mr. M'Laren) to annul this settlement in favour of the National Church of Scotland, in order to put the proceeds into the pockets of the landed proprietors, was simply disendowment so far as money went, and disestablishment so far as it severed one of the ties which through the land bound the Church to the State—disestablishment and disendowment advocated not on broad intelligible principles such as persuaded the House to disestablish and disendow the Irish Church, but advocated on the very narrowest principles of plunder and division of the spoil. He was persuaded the House would not listen for a moment to such a proposal. If, indeed, it were willing to entertain a measure of disendowment, it could never for a moment consent to apply any part of the proceeds for the benefit of the landowners, and he took it that when that was thoroughly known the popularity of the proposal would be greatly reduced. He did not wish to say that the great mass of the Nonconforming Bodies deliberately and knowingly desired to take the Church property in order to put it into their own pockets, merely because it would benefit themselves; but human nature was human nature, and he did not doubt that the fact that it would benefit themselves had produced many supporters of the idea. He trusted they would now be undeceived upon that point; and then when they advocated a reduction of Church provision they would have a stronger position than they had now, for they would not be open to the imputation of seeking self-interest. When that time came he trusted that those who, like himself, admired the Old Kirk of Scotland, and believed that she had been a blessing to the country in the past, would have much to say in her favour, which now he would not touch on; for the attack was so hampered by its own inherent weakness that at present it was not necessary to make a complete defence. It seemed to him that there never was a less opportune time for diminishing the resources of the religious Bodies, when demands for increased church accommodation were heard in all quarters—when all the cities of Scotland were rapidly increasing, and the resources of all the three great

Churches were unable to keep pace with the demands made upon them. It was said that there were 600,000 inhabitants of Scotland who belonged to no Church: Was that a time to diminish the power of any Church to labour for their benefit. Who could tell what change might not be effected if greater church accommodation were provided? He, therefore, appealed not only to Churchmen, but to Nonconformists also to remit this proposal, and to join in saying that this act of spoliation should not take place. He appealed in full confidence of a generous reply from all; and whatever might be the case in that House, he doubted not that, through the length and breadth of the land, many a conscientious Nonconformist would support his views. He was himself a Nonconformist in Scotland, but he was none the less anxious to see the Established Church upheld. He appealed to both sides of the House to vote against the Bill, but especially to those on this side of the House, for a generous and thorough-going support of the Established Churches in both countries was emphatically the true Conservative policy.

Amendment proposed to leave out the word "now," and, at the end of the Question, to add the words "upon this day six months."—(*Sir William Cuninghame.*)

MR. BAXTER said, he was glad to see that the question had entered on an entirely new phase. It was only two or three years ago that they were told if a grievance did exist it was of the most infinitesimal character. What had now occurred afforded ample justification to his hon. Friend the Member for Edinburgh for having in this and previous Sessions introduced his Bill into this House. That there was a grievance had now been abundantly admitted by his right hon. Friend the Lord Advocate who had now presented a Bill to remedy it. He trusted his right hon. Friend's Bill, whether large or small, would settle the question for a long time to come; and he should have great pleasure in taking the course which his hon. Friend the Member for Edinburgh had himself promised to take—namely, to give every assistance to the Lord Advocate to make his measure acceptable to the people of Scotland. He was surprised that the hon. Baronet the Member for Ayrshire, who had admitted the grievance, had not himself suggested some sort of remedy. [Sir WILLIAM CUNINGHAME said, he had denied the existence of a grievance in any sense of the word.] Well, they might dismiss that point from their minds, as they had a distinct promise from the Government to deal with the subject. The hon. Baronet dismissed in a very short manner the question as to the similarity between ecclesiastical assessments in Scotland and church rates in England, and he (Mr. Baxter) would admit at once that in certain respects they were not analogous. The circumstances and the statutes of the two countries were different, and therefore, when they came to take the cases in detail, no doubt they offered points of contrast as well as points of resemblance. But his contention was that the principle was the same, and that the results had been the same. He advocated this Bill on very wide grounds. The grievance complained of was, that people who dissented from the Established Church, and never attended its worship, were compelled to provide money for the Church's buildings; and the results had been discontent, and distraints and sales of persons' goods—results very much to be deprecated. The hon. Baronet thought that this was a measure which was calculated to weaken the Church of Scotland, and had repeated a great many arguments in regard to the burdens of property which were very familiar to old Members of this House. In how many discussions had they not been told that if church rates were abolished in England, the Church of England would be seriously injured? Well, they had been abolished, and so far from the Church of England being injured, he believed that it was at that moment stronger than ever, and that the abolition of church rates was a measure very much in the interests of the Church itself. What had taken place in England he believed would take place in Scotland too, and in every other country where people were required to provide money for the support of a Church which they did not approve. He thought his hon. Friend the Member for Edinburgh was to be congratulated on the persistence with which he had brought this question before the House. He hoped they would not hear the existence of that grievance denied again. He should be very glad if the Lord Advocate's measure could be made satisfactory to the country; but if the hon. Member for Edinburgh went to a division on this Bill, he would certainly give him his cordial support.

MR. A. KINNAIRD said, he should, on the same grounds as those put forward by the right hon. Member for Montrose, vote for the second reading of this Bill. The hon. Member for Edinburgh was to be congratulated on his success in having compelled the Government to admit the existence of a grievance; and if the Lord Advocate proceeded with his measure, he trusted that all parties would unite in endeavouring to settle a controversy, which, so long as it was kept open, must weaken the Established Church.

MR. ANDERSON said, he could not abandon the opposition which he had for some years offered to this Bill. He had no hesitation in saying that if in England church rates had been a burden on the land they would never have been abolished; or if they had been as regarded the Church, they would not have been handed over in gift to the landed proprietors of the country. That, however, was the principle which underlay this Bill, and therefore he strenuously objected to it. He, at the same time, admitted that there was a grievance, and so far as he had succeeded in calling attention to it, and getting the Government to deal with it, the hon. Member for Edinburgh deserved their thanks. His reason for opposing this Bill was that he could not agree with the mode in which the hon. Member (Mr. M'Laren) proposed to remedy the grievance. The grievance was principally in respect of feus, which the House would understand were similar to building leases in perpetuity. When the feuar took a piece of ground he was liable to his share of what was in this Bill erroneously called the church rate. There was no grievance in that; but when the man put a house on his piece of ground the tax was put on the house also, and it was that double levying of the tax which constituted the grievance. An easy way of getting out of it was this—that when a feuar took a feu of this kind, he should pay his share on the ground value, but nothing for the house he put upon it. The Lord Advocate's Bill was only introduced very late last night, and it was a pity it was not in the hands of Members prior to this discussion; but, having glanced over it very cursorily, he believed it would effectually abolish the grievance on the lines he (Mr. Anderson) had sketched out, and that being so, he trusted the hon. Member for Edinburgh would be satisfied with such a settlement and withdraw this Bill.

MR. LAING must add his testimony as to the existence of a very serious practical grievance throughout Scotland —not only in the large towns, but in many of the rural districts. In the Highlands and in the districts he represented the land was frequently divided among a number of exceedingly small proprietors—perhaps 100 or more, where the valuation of a whole parish was not above £2,000 or £3,000 in all. Many of these proprietors were persons who had, from conscientious motives, left the Established Church, and belonged to the Free or the United Presbyterian Churches. In the latter capacity they were taxed heavily for building churches and manses for their own communion, and for supporting their own ministers, and therefore it came hard on them to have to pay also to support another Church with which they had nothing to do. The church rate was the more objectionable because it was not a fixed yearly charge, but was imposed at irregular intervals, and when it did come, came with crushing weight, sometimes amounting to half the value of the whole revenue of the parish. That was a practical grievance which it was not the interest of the Church of Scotland to perpetuate, as it led to the creation of bad feeling towards the Church, even among its own members, and therefore he supported this Bill.

MR. DALRYMPLE said, the hon. Member for Edinburgh (Mr. M'Laren) had exercised a wise discretion in dissociating his Bill on the present occasion from any notions of disestablishment, because if there had been any allusion to disestablishment in connection with the measure it would have aroused much stronger opposition. It was most unfortunate that whenever any measure was introduced which was in any degree of the nature of a reform in regard to the Church, the cry of "disestablishment" should at once be raised; and he thought that hon. Members who sat on his side of the House might for once imitate the example of the hon. Member for Edinburgh. The hon. Member had remarked on the absence of any reliable figures as to the number of persons belonging to different religious Bodies in Scotland; but he (Mr. Dalrymple) must remind the hon. Member that it was owing to those with whom he acted that there were not more reliable statistics—because it was well known that it was the Nonconformists and their representatives who opposed anything like a religious Census some years ago. The right hon. Gentleman the Member for Montrose (Mr. Baxter) had referred to numerous and remarkable Petitions in favour of the present Bill. That was a statement which it was supposed would weigh with the House; but it was worth mentioning, that at all events with regard to the present Session, Petitions were absolutely *nil*. There had been two presented, one against and one in favour of the Bill. He was far from saying that the absence of Petitions showed that the question should not be dealt with by Parliament. He sometimes thought that when Petitions stopped was the time when the House could best deal with a question, because it had then passed out of the region of agitation; and that was the case on the present occasion. He (Mr. Dalrymple) had always admitted that there was a grievance, and had regretted that the subject had not been dealt with by the last Parliament. Although he could not approve of the present Bill, yet if the Government had not promised to deal with it at once, he should have felt ashamed to vote again against the Bill of the hon. Member for Edinburgh. He should oppose the Bill for this especial reason—because it proposed to hand over the money to persons who had never asked for it. It had been said that there were some noble proprietors of land in Scotland who wished to be relieved of the burdens connected with their land. That statement would not weigh much with him, because he could not forget that the distinguished individuals who desired to be freed from these burdens were the same as those who opposed that most popular measure, the Act for the abolition of patronage in the Church of Scotland, and in the most unpatriotic manner availed themselves of their right to put into their pockets money which belonged to the Church He regretted very much that so many persons availed themselves of their right of compensation. It was an undoubted right, but in availing themselves of it, they had acquired money which was the property of the Church. With regard to the present subject, he hoped that the feuars and the ministers of bodies other than the Established Church would be relieved under the measure introduced the day before by his right hon. and learned Friend the Lord Advocate. He believed that the great body of landed proprietors did not wish to be relieved of the burden of these ecclesiastical assessments. As that measure was one which seemed likely to remedy admitted grievances, he thought the hon. Member for Edinburgh would do well to withdraw his Bill and leave the matter to be dealt with by the Government.

MR. R. W. DUFF said, the hon. and gallant Member for Ayr had imputed to those hon. Members from Scotland who sat on his side the House that they were inclined to support the Bill because it would relieve them from a personal burden. It was perfectly true that the rate was a burden upon land, and he also recognized the fact that it was a burden imposed by Parliament; and if he chose to take that line of argument, he might say that as Parliament had imposed the burden, Parliament had the right to relieve the people of the burden. But he would not take that ground, because, speaking as a landlord, it might seem selfish to take it. The only true basis for a settlement of this question was commutation. The hon. Member for Glasgow (Mr. Anderson) had stated the grievance to be the imposition of the rate on a man who built a house, say, at an expense of £3,000; but where was the logical difference between the landlord spending £3,000 for that purpose and the feuar spending it? The hon. Member for the Ayr Burghs said it was a pity to give up the rate, because it was the only tie between the land and the Church. He (Mr. R. W. Duff) was surprised to hear that statement. Was not patronage a much stronger tie between the land and the Church? Yet the Government had swallowed the camel of abolishing patronage, and they now strained at the gnat of a church rate. Yet when it was proposed to abolish patronage and compensate the patrons, the patrons gave up patronage and put the compensation into their pockets. No landlord, he held, ought to put the compensation for patronage into his own pocket, but should give it for some national object, such as education. This question was treated as one of ecclesiastical policy by the hon. Gentlemen opposite, who were always afraid of disestablishment. They would insist upon putting this rate on all the feuars and Dissenters of Scotland, because they were afraid of Church disestablishment. He was a Dissenter, but he wished to make no capital out of the Church. So long as it maintained its hold on the people, he would therefore say to the Government, you have already weighted the Church heavily by your policy of abolishing patronage—do not weight it further by this obnoxious church rate.

Sir GRAHAM MONTGOMERY said, his main objection to the Bill was to the statement in the Preamble that it was to assimilate the laws of Ireland, England, and Scotland in respect to church rates. When they came to find out what church rates meant in the Interpretation Clause of the Bill, they would find church rates were to be made to include many things which were not included under that definition in England and Ireland — such, for example, as repairs of manses, and repairs of the walls of burial grounds. Parliament never sanctioned that in England the parsonage houses of the clergy should be left to voluntary assessment for their repair. Therefore, the Bill was misleading in being called a Bill for the abolition of Church Rates. Church rates in England never were in any sense a charge upon the land; while in Scotland nothing could be more clearly pointed out than that church rates were a charge upon the land. The land was liable for them, and why should the landed proprietors of Scotland be relieved from the burden? The hon. Member for Edinburgh said that many landowners in Scotland wished in their hearts that his Bill should pass. He begged to differ from the hon. Member in that assumption. He did not believe the great majority of the heritors did wish the Bill to pass. [Mr. M'Laren had not said that the majority, but that a great many of the landowners in Scotland wished his Bill to pass.] He maintained that the large majority of the landowners of Scotland did not wish to be relieved of this burden. If the proprietors did not do their duty in this respect, they could be compelled to do so. One great argument of the hon. Member was that the Church of Scotland was in a minority in respect to the population of the country. But there had never been any authoritative ecclesiastical statistics upon this point in Scotland. The hon. Member, who was an admirable statistician — statistics were his hobby — had gone for his figures to the *Edinburgh Almanack,* which was one of the best that was published. But he (Sir Graham Montgomery) could not admit that the facts found in that book were to be taken exactly as leading to the conclusions which the hon. Member wished should be drawn from them. He believed the Registrar General recommended the number of marriages celebrated as forming the best index of the numbers of each religious body. Well, the marriages taking place in the Church of Scotland were equal to those of all other sects put together. The hon. Member for Banffshire (Mr. R. W. Duff) was in favour of commutation; but even if any satisfactory plan could be discovered on which it could be effected it would be highly objectionable, because it would destroy the only connection left in Scotland between the land and the Church. The Bill of the Lord Advocate would, however, relieve the feuars who had always made a great grievance of these Church assessments, but the hon. Member for Edinburgh had made out no good case for his Bill, and he should, therefore, vote against it.

Mr. RAMSAY said, he had hoped the Bill introduced by the right hon. the Lord Advocate would have been such as to satisfy the reasonable demands of those who objected to Church assessments; but it appeared to him that while the right hon. Gentleman recognized that there was a grievance he had taken care in his Bill that it should not be removed. Therefore, instead of concurring with hon. Members opposite, he should be glad if the hon. Member for Edinburgh would persevere with his Motion in order that Dissenters might have an opportunity of showing whether they were satisfied or not. They might be defeated:—it was well to be defeated in a good cause: they had a good cause; they deserved success, and that was better than success itself when the cause was bad. The hon. Member who had just sat down had spoken as if places of worship were provided for the benefit of the soil or the land of the country. He had always understood that places of worship were provided for the assembling of human beings for Divine worship. If so, he could see no reason why occupiers should be exempt from the rate, while owners of the soil on which the houses stood should pay it. It seemed to him that, if reason were to be found in anything relating to the measure of the Government, it would be that occupiers of houses should pay, and that owners of land who did not derive any benefit from places of worship should be exempt. He did not concur with some who said that the great majority of landowners did not desire to be exempted from the burden. On the contrary, a great many landowners of his acquaintance were in favour of the Bill of the hon. Member for Edinburgh as it now stood. The difference noticed by the hon. Baronet between the law of Scotland and that of England was that it imposed a heavier burden on land in Scotland than it had ever borne in England, for the law in England made no provision for the maintenance of the manses, except at the expense of the incumbent. The hon. Member for Bute (Mr. Dalrymple) had spoken of the sordid desire of some proprietors to save their pockets; but if proprietors wished to pay the assessment, they were not interfered with by this Bill—they were at liberty to give such assessments to the Established Church as they thought fit to do. What he complained of was that persons who were not members of the Church were made to pay this tax. Regarding the system of supporting manses by those who were not members of the Church as immoral, and believing that the opinion of minorities was entitled to respect, he should support the Bill of the hon. Member for Edinburgh.

MR. ORR EWING: I desire to know what is the grievance complained of which it is supposed this Bill will meet? There is no grievance complained of by landowners, who pay by far the largest portion of this burden. The complaint is from parties who have feued a certain portion of land, and their complaint is that by the Valuation Act of 1854 they are assessed for the maintenance and renewal of churches and manses, which they had previously been exempted from. The hon. Member first brought in this Bill on account of those feuars, because he did not then pretend to represent any other portion of the community. He had then no pretensions to represent the landowners of Scotland. To-day he has, however, gone a step further, and he has stated, though without giving his authority, that from private conversation he has had, he has reason to believe that many noble Lords, Members of the other House, are favourable to the abolition of church assessment in Scotland. That is new to me, and I do not think that the House will be led away by such statements as that unvouched by authority. What does the hon. Member for the Falkirk Burghs (Mr. Ramsay) propose? He says—"I think it unjust that the burden should be solely on land. I think it ought to be on houses. I see no reason why houses built on feus should be released of a burden which I think should be put on houses rather than land." Well, if we were now legislating on the subject for the first time there might be force in that, but the law has long arranged it otherwise. It has been provided centuries ago that the assessment for churches and church buildings should be on land. The hon. Member for Falkirk evidently would not deal so liberally with the buildings on feus as would the Lord Advocate, but would leave the festering sore arising out of their overvaluation to fester still. The hon. Member for Banffshire (Mr. R. W. Duff) objected to the Bill of the Lord Advocate, and said that he should support this one. One of the objections he had to the Bill of the Lord Advocate was, that he could not see why buildings on farm-steadings should be assessed, if buildings on feus were not. The hon. Member said the only way to settle the question was by commutation; but no system of commutation would benefit the landlords of Scotland, unless by a system which was intended to and would rob the Church. Why should a person commute a burden if he was to receive no benefit? I do not believe that if a Commutation Bill passed in a voluntary shape, a single parish in all Scotland would commute. A great objection to commutation is, that if you commute this burden on the land which has existed for centuries, you make a total separation between the Church and the landowners, which I do not wish to see as long as we have an

Established Church in Scotland. But, says my hon. Friend opposite, why object to that when you passed a Bill in 1874 which made a far greater breach in the relations between the Church and the land? I deny that. I call his attention to the small number of landlords who were patrons at the time of the Church Patronage Act to show how fallacious such an argument is. There are not in the whole of Scotland more than 80 patrons. Has he considered what proportion 80 patrons bear to the whole number of landowners in Scotland? That Act did not, in fact, speaking broadly, interfere at all with the connection between the landowners of Scotland and the Church. At the same time it gave an enormous advantage to the Church of Scotland. Every one must admit that the abolition of the law of patronage has had a great effect in strengthening and consolidating the Church of Scotland. I wish to congratulate the hon. Member for Edinburgh (Mr. M'Laren) on the very moderate speech he made in introducing the Bill. I expected as much from him, but my surprise was that he made any speech at all. I thought, if I understood his object, it was more than satisfied by the admirable Bill of the Lord Advocate—[Mr. M'Laren: No, no!]—and I was inclined to hope that when I came down to the House to-day he would have said that he was so well satisfied with that Bill that he would withdraw his own, and support that of the Lord Advocate; but my hon. Friend is always strong in his statistics, and I am only sorry that he has not gone to a more reliable source than he has resorted to on this occasion. I must say that he did not give credit to the Church for the full number of churches belonging to her, which are, I think, nearer 1,400 than 1,340; while he increased the number of Free churches to the same extent. The hon. Member said that he did not wish to say a word on disestablishment; but the whole gist of his speech was directed in that way. The Established Church was established because it is endowed. If you weaken the endowment you impair the established character of the Church. You must admit that the Church is endowed, and on this point I should like to read what fell from a greater authority than I pretend to be—the right hon. Lord Advocate Young, Lord Advocate under the late Government in 1870. That right hon. Gentleman then opposed this Bill in the most firm and decided manner, and threw it out by a great majority. He said—

> "In point of fact, the Church of Scotland now existed as an Establishment, and was endowed as an Establishment, and there was no question before the House about disendowing either altogether or partially. But he thought he should make it clear to demonstration that the Bill now before the House, if it were passed into an Act, would disendow the Church of Scotland to a very material extent. . . . . To deprive the clergyman of his manse, which it was the object of the Bill to do—to deprive him of his glebe, which was the purpose of this Bill to do, was simply to transfer to that extent the incidence of the burden of making provision for the maintenance of the Established clergy from one quarter to another."—[3 *Hansard*, cxcix. 1598-99.]

This was in the year after the disestablishment of the Church of Ireland, and I cannot think that such language would therefore have been used without the greatest consideration by the Lord Advocate of a Liberal Government. We on this side of the House desire to maintain that Church, not to maintain ascendancy over other Churches, but because we believe that it is essential to the maintenance and establishment of sound religion. For that reason we oppose this Bill with all our hearts. The hon. Member for Edinburgh asks why, if this injustice has been dispensed with in England, it should not also be dispensed with in Scotland. The reason is obvious. The church rate in England was not a compulsory burden imposed on the land, but a rate dependent upon the vote of the parish. It was not paid by the owners of lands and houses, but by the occupier, and it was not confined to houses or landed property, but extended to moveable property, stock-in-trade, &c. What did Lord Advocate Young say on this—"There is no resemblance in this Bill to the case of England." And yet it was a church rate Bill. He quite admitted that there might be grievances in exceptional cases, but there were few if they took the whole of Scotland into consideration. If asked if he saw any reason for believing that the church rate in Scotland was like the church rate in England, he would oppose it, but the action of the existing law in Scotland was quite satisfactory. Now, the Bill of the Lord Advocate carries out what the Liberal Lord Advocate said in 1870 that he wished to see. The hon. Member for Edinburgh said that although this Bill was thrown out in 1870, it was carried in 1871 by a large majority. Why? Because Lord Advocate Young had intimated in his speech in 1870 that there was a grievance, and that he would endeavour to remove it in the way that the Bill of the Government does. When the Bill came before Parliament in 1871, he said that such had been the pressure of the business of the Government that he had not been able to draw up a Bill to remedy the grievance he admitted, and therefore he would not oppose the Bill on the second reading; but that this was only to be understood as an admission of the existence of a grievance, and that the hon. Member would not proceed with it further. This is a question, in point of fact, which but for the persistency of my hon. Friend would have been set to sleep many years ago. But I am glad the Government have brought in a Bill which will settle this grievance, and which places the burden on the same class of property on which it lay before the passing of the Valuation Act in 1854, and which had always been carried out in Scotland up to that time, and which is now carried out in nine parishes out of 10. It was, in fact, only in conformity with the invariable practice throughout Scotland, except in districts where railways have been constructed, and which form so large a part of the valuation of these parishes in Scotland, but which are most unjustly taxed by the new system of valuation. The Bill of the Lord Advocate will remove this injustice from them, and cause them to be assessed according to the value of the land, on which, indeed, the assessment ought to be made, and I believe it will give satisfaction throughout Scotland.

Mr. YEAMAN said, he would detain the House with a very few remarks, but he did not wish to give a silent vote on this Bill. In the first place, he must say that the title of this Bill was misleading to the people of England, who were not well acquainted with our Scottish Establishment. This was not a church rate. A rate was levied year by year for certain purposes, but this was an ecclesiastical assessment which did not take place from year to year—it might not be assessed once in 10 years, or once in 40 years. It was for the purposes of restoring and repairing the ecclesiastical edifices and the manses of the Scotch Establishment, and he held that it was fairly the property of the Established Church. A great deal had been said in regard to the numerical strength of the different denominations of Scotland. The hon. Member for Edinburgh had summed up a large number of Dissenters, and with the aid of quotations from *The Edinburgh Almanack* had made them equal to twice the number of the Scottish Establishment. He (Mr. Yeaman) would remind the House that strength of numbers did not always signify strength otherwise. From his knowledge of the Scotch Establishment, he believed it to be at this moment imbued with greater life than it had shown for the last 30 or 40 years—and although he did not belong to the Scotch Establishment himself, but to the Voluntary system starting from the Disruption of 1843, he still held the principles of the Established Church. Although a Voluntary, he was so by compulsion, and not by choice. Therefore he was glad to see the Church of Scotland growing into vigorous life, and he would do nothing to undermine either that or the English Establishment. It had been stated that this ecclesiastical assessment was by Parliamentary authority. If it was so, it was one of very long standing, and for centuries had become a fixed obligation towards the Church of Scotland on the land itself. But he maintained that this was not a rate on the landowners at all, it was a burden which the land carried along with it, and which was either inherited by those who succeeded to the property, or was assumed by any new incoming proprietor, who acquired his land at a less cost on account of the burden. He thought the Bill which had been shadowed forth by the Lord Advocate was an equitable one, which would adjust those difficulties and grievances which had arisen owing to the change of circumstances since the system of assessment was first introduced. He should therefore support the Amendment, and vote against the Bill of the hon. Member for Edinburgh.

Mr. MARK STEWART said, the speech they had just listened to would surely have the effect of showing to hon. Members on both sides the truth of the case—that this thing which was complained of was not a rate but a burden on land. He wished English Members particularly to note that in Scotland this was a charge upon property, whilst in England the church rate used to be charged on individuals. It had been stated by the hon. Member for the Falkirk Burghs that the proprietors in the West of Scotland were anxious that this Bill should pass, but in that part of the West of Scotland with which he was connected he had found no such feeling to exist. He had thought the hon. Member for Edinburgh would have withdrawn his Bill on receiving the just and equitable measure proposed by the Lord Advocate; but as he had not thought proper to do so, and if the House should refuse—and he saw no symptom that they would accept—this sweeping measure, he did not see what better step they could take than that embodied in the Lord Advocate's Bill, which took the just view that this charge should still be regarded as a burden on the land. Two years ago the hon. and gallant Member for South Ayrshire (Colonel Alexander) in an able speech showed the House very clearly that although there was a certain amount of grievance, it was quite local in its character, and chiefly affected Orkney and the Shetland Islands. But granted that there was a certain amount of grievance, in practice it had been reduced almost to a minimum, for in many parishes there had not been assessments for 20, 40, and even 60 years. A great deal had been said about the hardships of inflicting any tax whatever on persons who were not of the same religion as that for which the tax was raised; but it was impossible to get such perfect religious equality as the holders of that view wished for. He would remind them of the great struggle in that House in 1873, when the Scotch Education Act was passed. What was the consequence of that Act? In the first instance, it was put as far as possible out of the power of the school boards to teach any religion. The people of Scotland, however, would not have that arrangement at any price, and now it had been altered so that the majority in any parish could have taught whatever religion they preferred at the Public expense out of the rates. He trusted the majority of the House would join with him in voting against the second reading of this Bill in consequence of the satisfactory measure brought in by the Lord Advocate.

Sir ROBERT ANSTRUTHER said, that in the few remarks he should offer he would endeavour to imitate the very admirable example set to them all by the hon. Member who moved the second reading, in the extremely moderate and temperate speech he made in advocating his own measure. He was not sure whether his hon. Friend intended to appear in the new part of advocate, defender, and supporter of the Church of Scotland. [Mr. M'Laren: No.] His hon. Friend said he desired by his Bill to strengthen the Church. If his hon. Friend was to appear in that *rôle* he should cordially welcome him, and would co-operate with him to the utmost of his power. The hon. Gentleman the Member for Edinburgh, in advocating the second reading of his Bill, said it was immaterial to him whether it was called a church rate or an ecclesiastical assessment. He (Sir Robert Anstruther), however, distinctly took exception to the use of the word church rate, for it had been clearly shown that there was no connection whatever between the former church rates in England and what he called church rates in Scotland. He took exception, also, to the title of the Bill introduced last night by the Lord Advocate. He did not think that this was an ecclesiastical assessment. It was neither a church rate nor an assessment. It was, as had been conclusively shown in this debate, neither more nor less than a burden on land, and had been on the land since 1560, and as a burden on land, whether the House chose to approve of it or remove it, could it alone be considered by this House. His hon. Friend said—and this was the strong point of his speech—that the effect of the Valuation Act of 1854 was to bring under this burden a class of property which had never been brought under the burden before. That was admitted. The Valuation Act of 1854 not only brought the feuars under this burden—and for argument's sake it might be said that the feuars were never under it before—but it brought them under the burden in a much more severe manner than those who had been assessed before the passing of the Act. The great landed proprietors had been taxed by this burden upon their valued rent—

valued rent being far under the real rent. But the feuars were brought under the burden upon their real rent, so that, in point of fact, the poorest people paid the most. He would frankly own that if the Government had not undertaken to deal with this question in a thorough manner, he would have given his vote for the second reading of this Bill—not because he approved of all its provisions, but because a grievance had been shown to exist so unmistakeably that it could not be resisted. It appeared to him, however, that the Government had introduced a Bill which almost exactly met the grievance. Whether his right hon. and learned Friend's Bill, however, did not seriously interfere with the Valuation Act of 1854, whether it was not rather a backward step so far as the system of Scotch valuation was concerned, he was not prepared to say. It appeared to him that the Government Bill erred in that respect. He thought it also erred in the fact that it separated the valuation of the land and the burdens to be imposed upon it from the valuation and burdens of the buildings erected on the land. Up to the present it had always been held that the land included the buildings on the land. He also had doubts whether it did not err in another particular—he meant that clause of the Bill which freed all ecclesiastical buildings, manses, and glebes, whether occupied by clergy of the Established Church or by Dissenting ministers, from all taxation. He doubted whether it was wise to make that distinction, and he commended that matter to the attention of the hon. Member for Forfarshire (Mr. Barclay), who had a Bill to bring the clergy of the Established Church for the first time under the poor rate and the school rate. Beyond doubt there were two good points in the Bill of the Lord Advocate. It relieved the pressure in the precise direction in which everybody admitted it was most felt, and it allowed the money to be paid for the repair of churches and manses to be spread over a much longer period. The great weakness of the present Bill was this—it proposed to take this burden, which had laid on the land since the time of the Reformation, and put it into the hands of the heritors. Would any man on this side of the House get up and defend a transaction of that kind on Liberal principles? He had not heard the shadow of an argument in favour of such a proceeding. It was in the power of Parliament to deal with the burden as it thought fit, and to regulate the manner in which it was imposed, but not to remove it altogether, and allow the landed proprietors to put the money into their pockets. Even the hon. Member himself was an authority against this proceeding, for on the second reading of the Scotch Education Act of 1872 the hon. Member protested against the heritors being relieved from the rate for schools—which was on all fours with the church rate. But while the heritors on that occasion were relieved of the burden resting on them, a new one was levied upon them in the shape of a school rate. Here the hon. Member proposed no equivalent. He simply took the money from the Church and put it into the hands of the heritors. In Committee on the Education Bill, the hon. Member renewed his opposition to the heritors being relieved of the school rate. He said he considered the money national property, and he moved an Amendment that—

> "The assessments authorized and required to be imposed and levied by the said recited Acts, or any of them, shall continue to be imposed and levied upon the heritors in all time coming according to the provisions of the said Acts."—[3 *Hansard*, ccxi. 2023.]

Now, the two burdens were exactly on all fours, and he (Sir Robert Anstruther) wanted to know why the hon. Member should remove one and desire the other to be continued for all time coming. It might be because the one object was one with which he had sympathy, and the other was not; but the House could not be expected to legislate in accordance with personal sympathies. What he called the church rate was as much national property as the school rate, and if Parliament said it should be applied to a different object, the Church of Scotland would acquiesce. He (Sir Robert Anstruther) admitted that there was a grievance which ought to be removed, but he thought it would be removed by the Bill of the Lord Advocate, and therefore he could not vote for the second reading of this Bill.

MR. ELLICE said, that after the pointed allusion made to him by his hon. Friend the Member for Fifeshire he felt himself, in justification of the course he intended to take, bound to make a few remarks. He entertained now the same opinion as to the liability of heritors as that he expressed on the former occasions referred to by his hon. Friend. Undoubtedly the obligation to contribute towards the maintenance of churches and manses was a settled burden upon land:—he was sure the heritors had no wish to escape from that burden, in order to transfer the money into their own pockets. That, at least, was the last thing he contemplated. But this sort of assessment was very unpopular in Scotland. Although in many essential respects it differed from the English church rates, it was, rightly or wrongly, looked upon very much in the same light:—its unpopularity had been yearly on the increase, and a feeling existed that in the interest of the Church itself it was very desirable to remove it. The moderate outlay of former years did not satisfy modern notions of architectural comfort and display, and the inordinate demands that were now constantly made for what was termed "restoration" rankled in the minds of Scotchmen. All these considerations led him to the conclusion that all such assessments ought to be got rid of. In his opinion, the matter would be best settled upon the principle of commutation. The Church would thus get what was fair and reasonable under the circumstances, and all questions of variable assessment would in future be put an end to. He differed, therefore, from the details of the Bill of his hon. Friend the Member for Edinburgh. But he intended to support the second reading as a protest against the existing system. The Government measure seemed only to narrow the area of assessment available under the existing law. It did nothing to put an end to the feeling upon the general subject that existed in Scotland, and he was convinced that no partial change would effect a satisfactory settlement of the question.

Mr. E. NOEL said, the hon. Baronet the Member for Fife had stated that if it had not been for the Bill of the Government he would have felt himself bound to vote for the second reading of the Bill before the House. He desired to ask—was it fair to ask them to reject the Bill because of a measure which was only introduced at half-past 12 that morning, and which few hon. Members had had an opportunity of considering?

Sir JOHN HAY said, if the hon. Member had listened to the discussion he could not have failed to have had a very good idea of what the Bill of the Government was. He would recommend the hon. Member for Edinburgh to withdraw his Bill, though the name of church rates was one not known in Scotland. The charge in question had existed in Scotland since the time of the Revolution settlement, and if this Bill were carried the churches and manses of Scotland would be allowed to fall into disrepair unless they were voluntarily maintained. He protested against the Bill, the object of which seemed to be to secure disendowment and disestablishment by a side wind.

The LORD ADVOCATE: I am not one of those who would say that the object of this Bill is disestablishment, but the hon. Member for Edinburgh stated candidly, and I suspect the summons to hon. Members opposite indicated sufficiently clearly, the principles on which the issue was to be taken. I do not say the question of Disestablishment is raised by this Bill, but undoubtedly the question of Disendowment is raised. That was distinctly brought out by the late Lord Advocate, Lord Young, in his statement, on a former occasion, of the object of the Bill, and I read from his statement because I think that on the other side of the House his opinions will, perhaps, have more weight than anything I could say. The late Lord Advocate said distinctly that—

> "The operation of the existing law was entirely satisfactory. There was an assessment upon small proprietors in respect of their houses and gardens, and sometimes even upon clergymen of other denominations for the support of the Established Church. He would like to see the law limited in that respect. It was only in that way that the law had any operation which might be considered analogous to the church rate of England."—[3 *Hansard*, cxcix. 1602.]

The Bill which I have obtained leave to bring in is one which affects the real grievances complained of. It has been clearly shown that this is a burden on land, and the hon. Member for St. Andrews (Mr. Ellice) admitted that, and very properly; and, as I would have expected of him, said that he would altogether despise the idea of the assessment being put in the heritors' pockets, and said that would not be his object in voting for the Bill, which he supported simply as a protest against the system which was described by the late Lord Advocate as quite satisfactory. I venture to submit that it is going far in the way of a protest against any existing grievances to say that the House should vote for a Bill to altogether repeal obligations. This Bill would altogether repeal the assessments, without making provision for an obligation to which the heritors are undoubtedly subject, and which makes no provision whatever for the application of the money. Therefore, I venture to submit that the hon. Member is not very consistent in voting for this Bill as a protest. I repeat that I expect my Bill to remedy most of the existing grievances, and if it does not do so to the satisfaction of the hon. Member for Edinburgh, he can state his objections in Committee. The hon. Member has brought forward his Bill for four years in succession, and if it is thrown out now he can renew his case in connection with the Bill of the Government.

MR. M'LAREN, in reply, said, that a man who was so busy at the Bar as Lord Advocate Young was, would not have much time to see how the system of church rates worked. But whatever respect they might have for him, certainly no opinion could be more at variance with the facts than his opinion as just quoted. Although Lord Advocate Young opposed the Bill one year, he afterwards promised that if the Motion for the second reading were withdrawn, the Government would bring in a Bill on the subject, which was an admission that the system did not work satisfactorily, and he afterwards spoke to the same effect in Edinburgh. The hon. Baronet the Member for Fifeshire thought he (Mr. M'Laren) had taken an inconsistent part as between this rate and the school rate. This he denied, and thought that on this particular question there was here a great principle involved. The hon. Baronet said that he objected to put into the pockets of the landowners of Scotland the £50,000 which they had paid for 150 years, and he read some of his (Mr. M'Laren's) remarks to that effect; but the hon. Baronet did not notice what he had himself said or done when he (Mr. M'Laren) wished to take a division. He appeared to have taken no trouble in opposing the clause, but got a cheap popularity by expressing the opinion he had just given utterance to, and afterwards accepted his share of the money. So far as he could see the argument of the hon. Baronet was all in his favour, for the £50,000 at issue in the former argument had been swallowed up by the landowners, although it had not been given for schools for the members of the Established Church, but for schools for the whole of the parishioners, and the Bill then before the House was to abolish church rates, levied not for the benefit of the whole parish, but for that smaller section which belonged to the Established Church. He could not withdraw the Bill, as had been suggested.

MR. ASSHETON CROSS said, with regard to the question whether it was the intention of the Government to go on with the Bill which they introduced yesterday, and, if possible, pass it into law this Session, that if it had not been the intention of the Government to pass the Bill, he would not have been a party to its introduction. He must enter a respectful but firm protest against one observation made by the hon. Member for St. Andrews. The hon. Gentleman said nothing was further from his intention than to vote for a measure which should relieve the landlords from the liability which the land was under, and put the money into their pockets, and he said he did not approve of many of the details of the present measure, and should wish to see it amended. But what was a detail? The sole cause of this Bill was to take away the liability from the landlord and to put the money in the landlord's pocket. For that reason, on the part of the Government, he (Mr. Assheton Cross) was strongly opposed to it.

Question put, "That the word 'now' stand part of the Question."

The House *divided*:—Ayes 155; Noes 210: Majority 55.

Main Question, as amended, put, and *agreed to*.

Second Reading *put off* for six months.

DIVINE WORSHIP FACILITIES BILL..

(*Mr. Wilbraham Egerton*, *Mr. Birley*, *Mr. Whitwell*, *Mr. Rodwell*.)

[BILL 30.] SECOND READING.

Order for Second Reading read.

MR. WILBRAHAM EGERTON, in moving that the Bill be now read a second time, said, that he regretted it was no longer in the charge of the hon. Member for Stafford (Mr. Salt). It was founded on the Report of a Select Committee; and the object of it was to amend the Church Building Acts, and the 77th section of the Pluralities Act, and thereby to facilitate the creation of new districts and the endowment of new churches in hamlets distant more than a mile from a licensed place of worship, and particularly in populous places, where the difficulty of obtaining the assent of some incumbents had paralyzed efforts to provide the accommodation and the services that were necessary to meet the requirements of the population. It was proposed to give to less wealthy congregations the powers conferred on a wealthy patron by the Private Patronage Act, the cost of which was not less than from £5,000 to £10,000. The Bishop had no power to enforce a 3rd or additional services, however much the congregation might require them. It was therefore proposed to call upon the incumbent to provide such additional services; and if, within six months, he refused to do so, to enable the applicants, on providing a stipend, to have a curate licensed by the Bishop for that purpose, in some building other than the parish church, and with such cure of souls as might be required by his congregation, at the discretion of the Bishop. Beyond that there was the graver case, where the incumbent performed his two weekly services, but utterly neglected his parish all the week. The Bishop of Ely, in his evidence, stated that a Bishop had no power to interfere in such cases. A case was mentioned in which a clergyman had been several times summoned to the County Court, had compounded with his creditors, and entirely neglected the interests of his parish; and it was said that this was a specimen of the kind of case one part of the Bill was intended to meet. It was therefore proposed in the Bill, where that habitual neglect was proved to the satisfaction of a commission, composed partly of laity and partly of clergy, the living should be sequestrated under the Pluralities Act. He did not believe it would place too much power in the hands of the Bishop; that could hardly be, for the power of the purse would be vested in the laymen, who would be appointed on the commission in each case in which the Act was put into operation. There would be no interference with the parochial system, except where the right of parishioners were ignored or neglected. No schisms would be created, because no steps could be taken except on joint responsibility of Bishop and Archbishop. The Bishop was responsible for the cure of souls in his diocese, and he therefore must decide where a crying evil existed, what relaxation of the parochial system could be safely carried out. The Bill did not deal with cases in which there was a marked divergence of opinion as to the conduct of the services between the incumbents and the parishioners. One reason for this omission was, that if the power of building a new church was to be exercised, it would furnish an excuse to the incumbent for not attempting to meet the views of a majority of his parishioners. There were among the clergy, as in every other profession, "black sheep;" it was against them that this Bill was directed, and not against the great body of the clergy, whose zeal and earnestness he gladly acknowledged. Its object was to extend the parochial system, so as to meet the requirements of the time; that system did not exist alone for the benefit of the clergy, but for the laity. He would urge upon all those who wished well to the Church of England that it was desirable to promote judicious reforms, and it was in the humble endeavour to reform some abuses which had been proved before the Committee that he asked the House to read the Bill a second time.

Mr. BIRLEY, in seconding the Motion, said, the Bill was one for enlarging and improving the spiritual ministrations of the Established Church. Its possible operation raised a question as between the multiplication of independent districts or parishes, and the employment of several curates by the incumbent of one large parish, and the former alternative seemed most likely to conduce to the efficiency of the various institutions connected with parochial churches.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Wilbraham Egerton.*)

Mr. SAMPSON LLOYD regretted to be compelled to put himself in opposition to the hon. Members in charge of the Bill; but he felt that it would seriously impair the liberty of the laity; that it made a serious inroad on the parochial system, by giving more dominant and irresponsible power to the Bishops—the feeling of the laity on the subject being altogether ignored. He admitted that the parochial system needed more elasticity, but that might be obtained by Acts at present in force. Some of the proposed provisions were extremely objectionable. For instance, five male persons resident for a year in the parish might set the Act in motion; one-fifth of the ratepayers would be nearer the mark. To give five persons such a power was certainly absurd. Some of the terms used also were very vague and ill-defined. It gave the Bishop certain powers if the incumbent did not perform the duties of his post; but who was to define what those duties were? In fact, the Bill gave arbitrary and irresponsible power to the Bishops. The Bill might easily be worked for purposes of annoyance and party spirit, and he felt bound to oppose the second reading.

MR. ASSHETON said, the Bill was an old friend with a new face, being in principle the same as that brought in by the hon. Member for Stafford (Mr. Salt), and which, after discussion, was referred to a Select Committee, was reported, and then withdrawn. He thought this Bill would entail greater evils than those it proposed to remedy. He should regret anything that broke into our parochial system, which brought home the rites of the National Church to every man, woman, and child in the Realm. The principle of the measure was, however, the introduction of a clergyman into a parish against the wish of the incumbent. If the incumbent were willing that additional facilities for public worship should be provided, the best thing would be to strengthen his hands and assist him to obtain additional curates: if the incumbent, on the other hand, was unwilling or unable to discharge his clerical functions, Parliament ought, to speak plainly, to provide some means of turning him out of his living; but it certainly would be unwise to leave upon him all the responsibilities of performing his duties, whilst you introduced into his cure another clergyman who could simply do what he liked and leave undone what he liked. No doubt, they were all more or less agreed as to the principle, but the difficulty lay in carrying out that principle. The Report of the Select Committee of last year was relied upon in support of this Bill, and it was said that this Committee was composed of all parties in the Church. The evidence given before the Committee was, however, very one-sided, for it magnified and exaggerated the evils of the Church. The Committee Room was like a Cave of Adullam, to which every one who had a grievance against the Church resorted, so that the Committee heard not the bright, but the dark side. The Bill was specially objectionable, as it would affect the independence of the clergy. He trusted the House would not make the Church in every parish in the country a "house divided against itself," but would refuse to give the Bill a second reading.

And it being a quarter of an hour before Six of the clock, the Debate stood adjourned till *To-morrow.*

SMALL TESTATE ESTATES (SCOTLAND) BILL.

On Motion of Mr. JAMES BARCLAY, Bill for the relief of Widows and Children of Testates in Scotland where the personal Estate is of small value, *ordered* to be brought in by Mr. JAMES BARCLAY, Sir ROBERT ANSTRUTHER, Mr. KINNAIRD, and Mr. MACKINTOSH.

Bill *presented,* and read the first time. [Bill 107.]

House adjourned at ten minutes before Six o'clock.

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HOUSE OF LORDS,

Thursday, 16*th March,* 1876.

MINUTES.]—PUBLIC BILL—*First Reading*—Supreme Court of Judicature (Ireland) (31).

JUDICATURE OF IRELAND.—SUPREME COURT OF JUDICATURE (IRELAND).

BILL PRESENTED. FIRST READING.

THE LORD CHANCELLOR: My Lords, I beg to ask your Lordships to give a first reading to a Bill to amend the Judicature of Ireland. It may be recollected that in the year 1874 I introduced in this House, on behalf of the Government, a Bill having a similar object. That Bill, with some Amendments, passed though your Lordships' House and went down to the other House of Parliament, but owing to the period of the Session and the state of Public Business, there was no opportunity of carrying it through that House. Last Session Her Majesty's Government thought it better to postpone any measure on the subject till the legislation for the Judicature of England had assumed a more settled shape. The Bill I now lay on the Table is to a certain extent the same as the Bill of 1874. So far as regards all questions relating to the practice and procedure of the Courts, the Bill is almost entirely the same Bill as that of 1874; in fact, it provides in the case of the Irish Courts the changes made by the English Judicature Act in the practice of the different Courts; the procedure is assimilated also; and where the doctrines of the different Courts are different those doctrines are assimilated. Such, in substance, are the provisions of the First Part of the Bill. Passing from that, I come to another part of the Bill which will excite in some quarters quite as great an interest as that to which the first will give rise. This Second Part deals with the question of the officers of the various Courts which are affected by the Bill, and I think it may be convenient that I should state the changes which I propose to make. I begin by saying that, taking a comprehensive view of the Judicial Staff in Ireland, it may be said to consist of 23 officers. Two of these are mainly Appellate Judges, and 21 are primary Judges. There are, in what are called the Courts of Equity, the Lord Chancellor, the Lord Justice of Appeal, the Master of the Rolls, and the Vice Chancellor—four in all. In the Common Law Courts—the Court of Queen's Bench, the Court of Common Pleas, and the Court of Exchequer—there were until very recently one Chief and three Puisne Judges in each—12 in all, which brings up the number of Judges in the Superior Courts of Law and Equity to 16. But, besides these learned personages, there is a further Judicial Staff to which I must refer—namely, a Judge of the Probate and Matrimonial Court, two Judges of the Landed Estates Court, two Judges of the Bankruptcy Court, a Judge of the Admiralty Court, and a Receiver Master—all of these seven exercising very considerable judicial functions which I shall afterwards describe. So that your Lordships will see that the Judicial Staff in the Courts of Dublin numbers 23 in all. I will state in detail what changes I propose to make in that Staff. First, as to the Common Law Courts. In the Queen's Bench we propose to make no change. This Court transacts not only very important civil business, but has its attention occupied by Crown or criminal business also, so that it may be said to be overweighted as compared with the other Common Law Courts. The Court of Common Pleas, like the other two Common Law Courts, had until lately four Judges, including the Chief; but that Court is at present in this position—a vacancy has occurred which has not been filled up by the appointment of a new Judge; and now that Court has only three Judges—the Chief and two Puisne Judges. My Lords, we propose to introduce in the Court of Common Pleas the Judge of the Probate and Matrimonial Court, and not otherwise fill up the vacancy in the Common Pleas. The jurisdiction of the Probate and Matrimonial Court will be transferred with the Judge to the Court of Common Pleas, and the Judge who is to be transferred to it will continue to transact there the routine and unopposed business of the Probate Court. He will also try Probate causes in contentious cases, and will sit with the other Judges of the Court of Common Pleas *in banco*. The present Probate Judge will also, on his own consent, be competent to go circuit; but any successor to him will be obliged to go circuit as a part of his duty. Then as to the Court of Exchequer—we propose that when a vacancy occurs among the Puisne Judges that vacancy shall not be filled up; but we propose that powers shall be taken which, in the event of certain changes being made hereafter in the Bankruptcy Court, will lead to the introduction of this latter Court into the Court of Exchequer. There are, as I have already stated, two Bankruptcy Judges; but the transaction of Bankruptcy business in Ireland is very different from what it is in England. In England you have the great Bankruptcy Court in London, which deals with London business; and in addition you have a local Bankruptcy jurisdiction vested in the various County Courts throughout the country. It is not so in Ireland. There the whole of the Bankruptcy business is transacted in

Dublin—and I believe very well transacted by very competent men; but there has sprung up a great desire in the commercial cities of Belfast and Cork to have a local Bankruptcy jurisdiction, and Her Majesty's Government will be very glad if that can be arranged; but they have been obliged to say that in the existing state of Public Business they cannot at present propose it. But they hope such a measure may hereafter be proposed, and if Parliament should think fit to sanction such an arrangement that will very much reduce the Bankruptcy business in Dublin. Consequently power is taken in the Bill to transfer the Bankruptcy business of the metropolis to the Court of Exchequer, and to transfer to that Court one of the Bankruptcy Judges, relieving from office the other Judge, or, at all events, not replacing him. But, I repeat, that is a power taken by this Bill the exercise of which is subject to the contingencies to which I have just referred. In the meantime one provision of the Bill is that when a vacancy occurs in the Court of Exchequer it is not to be filled up. With regard to the Admiralty Judge, we do not propose to interfere with him at present; but we propose that no successor to him shall be appointed, and that when a vacancy occurs in that office the Admiralty business shall be transferred to one of the Divisions of the Superior Court. I now come to the Receiver Master. He occupies a peculiar position and transacts different business from that which has been transacted by any Master in this country. He has a salary of £2,500 a-year, and has the duty assigned to him of attending to all estates in Ireland which are under the hands of receivers. It was thought in Ireland that in place ef various Masters dealing with these different estates, they should be all under one Receiver Master. He has also certain duties in respect of auditing the accounts of the treasurers of counties, which occupy a good deal of his time. The present holder of the office — Master Fitzgibbon — who has been in public life a great many years, is now of advanced years. We propose that the office should come to an end. There is to be no successor to Master Fitzgibbon, and we propose that it shall be in his power, if he think fit, to relieve himself of the office. His duties are to be handed over to the two Judges of the Landed Estates Court — because his duties are cognate in a certain degree to the duties at present performed by that Court with regard to estates. My Lords, I now pass to the Court of Chancery. There are, as I have stated, two Judges connected with that Court, one of whom is almost entirely, and the other of whom is entirely, an Appellate Judge. The Lord Justice is entirely an Appellate Judge; the Lord Chancellor exercises a primary jurisdiction in regard of Lunacy and Minors, but he has comparatively little jurisdiction as to causes in the first instance. It is proposed by the Bill, that, with the exception of Lunacy jurisdiction, the Lord Chancellor should be entirely an Appellate Judge. With regard to the two Landed Estate Court Judges we propose that they should both be Judges of the Court of Chancery—each retaining the peculiar jurisdiction of the Landed Estates Court, retaining a separate existence for that purpose and for the transaction of the duties now discharged by the Receiver Master. The Chancery Division of the High Court of Justice will, therefore, consist of the Master of the Rolls, a Judge of Chancery, in the room of the Vice Chancellor, and two Common Law Judges. They are to discharge the ordinary duties of the Court of Chancery; but the Bill provides that when a vacancy occurs in the case of either of the Judges of the Landed Estates Court it is not to be filled up till after a Royal Commission is appointed to inquire into the state of business in that Court and the Report of that Commission has been received. I now come to the Court of Appeal. With regard to that we propose, as we proposed in 1874, that a new Judge of Appeal should be appointed, and that the Court should consist of the Lord Chancellor, the present Lord Justice of Appeal, a new Lord Justice of Appeal and the three Chiefs of the Queen's Bench, Common Pleas, and Exchequer Divisions—the three Chiefs to be *ex officio* Members of the Court. I have often pointed out how desirable it is that there should be a strong Intermediate Court of Appeal in this country; but if it is desirable in England, it is still more important in Ireland, where there are many cases which will not bear the expense of an appeal to this House. At present the number of Judges in the Court of Appeal in Chancery is, to say the least, extremely inconvenient. There are only two Judges, and if there is a difference of opinion no decision can be arrived at. I think it better that the Court of Appeal to be constituted under the Bill should have to decide not only the cases coming from the Court of Chancery, but the cases coming from all the Courts. We can thus get rid of the Exchequer Chamber in Ireland as we have in England. We propose then the appointment of an additional Judge of Appeal; but we propose to take away the separate office of Judge of the Probate and Matrimonial Court, and the separate office of Admiralty Judge, and separate office of Receiver Master. I turn to another question connected with the subject—the question of salaries. From various reasons—the difference of money which formerly prevailed in Ireland and other causes—the salaries of the Judicial Staff in Ireland are at present arranged in such a manner that it would have been impossible for human ingenuity to have devised any scheme which would have better secured that no two of them should be equal. The Master of the Rolls has £3,969 4*s.* 8*d.* a-year; the Vice Chancellor, £4,000; the Chief Justice of the Queen's Bench, £5,074 9*s.* 4*d.*; the Chief Justice of the Common Pleas and the Chief Baron, each £4,612 18*s.* 8*d.*; one Puisne Judge of the Queen's Bench, £3,725 19*s.* 4*d.*; each of the two others, £3,688 12*s.* 4*d.*; the Judge of the Court of Probate, £3,500; the Judge of Admiralty, £1,200; the Receiver Master, £2,500; each of the two Judges of the Landed Estates Court, £3,000. There is a great variety in these salaries, and we propose to establish a scale of greater uniformity, without, of course, altering the salary of any existing Judge. We propose that hereafter the salaries should stand thus — Chief Justice of the Queen's Bench, £5,000; the Chief Justice of the Common Pleas, £4,600; the Chief Baron of the Exchequer, £4,600; all the Puisne Judges, the Master of the Rolls, the Vice Chancellor, and the future Judges of the Landed Estates Court, £3,500 each—but with this qualification, that all the Judges who go circuit shall have a fixed and definite allowance for going circuit of £150 for each circuit, or £300 for the two circuits of each year. Now, as to consolidation, we propose to consolidate the three Taxing Offices of Chancery, Common Law, and Landed Estates Court into one Taxing Office; the Chancery Record and Writ Office with the Common Law Writ Office; the Office of the Accountant General in Chancery with that of the Landed Estates Court; and of the Chancery Notice Office with the Notice Office of the Landed Estates Court, and it enables the consolidation of other offices that can conveniently be so dealt with. We also take powers for the abolition of unnecessary offices—those powers to be exercised by the Lord Chancellor and the three Common Law Chiefs, or any two of them, of which the Lord Chancellor must be one. That disposes of all the statements I have to make to your Lordships in reference to this Bill; and I might stop here, but that there are other matters to which I think it necessary to allude, because there has been much misapprehension concerning them out-of-doors. Comparisons have been made as to the number of Judges of Equity and of Common Law in Ireland and in England and to the amount of business to be discharged by those Judges in each country respectively. In one of those comparisons which came lately from an eminent authority, it was stated that while, on the one hand, there were in England for the transaction of Equity business four primary Judges, there were in Ireland, on the other hand, no fewer than seven. Now, my Lords, I have never shrunk from stating frankly my opinion as to the number of the Judicial Staff in Ireland, nor from making a comparison between the business done in each country with the view of showing where there was an excess of judicial strength; but I hold that statements such as the one to which I am now referring are not calculated to lead to a calm and well-founded consideration of the question. Anything more inaccurate than this statement I cannot imagine. The way in which it is made out that there are seven primary Judges of Equity is this —The Lord Chancellor, the Master of the Rolls, and the Vice Chancellor, three; the two Judges in Bankruptcy, five; and the two Judges of the Landed Estates Court, seven; and all the business disposed of by them is, compared with the Equity business discharged in England by the four primary Judges. Now, let me point out to your Lordships how inaccurate that is. The Lord Chancellor in Ireland, though nominally a primary Judge, is not so in reality. The Lord Chancellor in England was, until lately, a primary Judge in name, but not so actually. The Lord Chancellor in Ireland disposes of primary business in regard of lunatics and infants, but beyond that he does not sit generally for hearing causes. But when we come to Bankruptcy, how does the case stand? The primary Bankruptcy business in England is not transacted by the Equity Judges at all, but in London by five Registrars, and throughout the country by 51 County Court Judges who have local jurisdiction; so that the comparison as to bankruptcy is not to be made between the seven primary Judges in Equity and the four, but between the seven primary Judges on one side and five Registrars and 51 County Court Judges on the other. Then, as regards the business of the Landed Estates Court, that business cannot be compared with any done by the primary Equity Judges in this country. The Judges of the Landed Estates Court in Ireland do business which no Equity Judge in England does, or would consent to do. They inquire into the titles of estates and examine as to whether they are good or bad. If you proposed to an Equity Judge in England that he should do that, he would say—"It is no business of mine. I was appointed to hear causes." You must strike out the Lord Chancellor, the two Judges of Bankruptcy, and the two Judges of the Landed Estates Court, and then you will have the true comparison as one between two primary Judges of Equity in Ireland and four in England. I am not, however, prepared to say that the primary Equity Judges in Ireland have not much lighter business than the primary Equity Judges in England. On the contrary, I think they have; because I do not believe that there is half the Equity business in Ireland that there is here; but I protest against the comparison of seven to four as one which is not accurate, and which, therefore, is likely to mislead. There is another inaccurate statement which I think I ought to bring before your Lordships in its true aspect. It is said that since the Bill of 1874 was introduced the Government have appointed a second Judge to the Landed Estates Court, and have done so after their own admission that a second Judge was not required; and moreover it is said that the Government did that without informing Parliament of their intention. Both these statements are founded on a misapprehension. I will give your Lordships an exact narrative of the facts, because they are much misunderstood out-of-doors. In 1873 the late Government in a Bill before Parliament made a proposition in respect of the Landed Estates Court. They proposed that a vacancy which had occurred should not be filled up, but that the salary of the existing Judge should be raised from £3,000 to £3,500 a-year. When the present Government came into office we acted on that view, and I remember reading to the House a letter from the learned person who was then the sole Judge of the Landed Estates Court, referring to the business which was to be transacted, and suggesting that there should be only one Judge. Well, as soon as that proposal was made public the strongest feeling was manifested against it—I do not say on the part of the Bar, because it might be supposed that on the part of the Bar there would be a wish to retain as many legal offices as possible—but on the part of those who had business to transact in the Court. They represented in the most emphatic manner the inconvenience which they were suffering from the circumstance of there being only one Judge, and pointed out that when he was prevented from attending no judicial business could be done. I believe that in one instance the progress of business was suspended because the learned Judge himself was interested in the matter as a trustee. Even under such circumstances the Government would have been very unwilling to appoint a second Judge, only that it was evident the office of Receiver Master must come to an end, and that the duties performed by him must be transferred to other hands. This, and the state of things I have just mentioned to your Lordships, made the Government think it was their duty to appoint a second Judge to the Landed Estates Court. But was Parliament kept in ignorance of the matter, and was the appointment not made until just on the eve of the meeting of Parliament? I do not like to refer to statements made in Parliament, but not in this House. I think, however, that in order to remove misapprehension it is necessary for me to allude to a conversation held "elsewhere," on the 9th of July, 1875. I find the following in the pages of *Hansard* with reference to that conversation:—

> "(8). £9,481, to complete the sum for the Landed Estates Court, Ireland.
>
> "Mr. *Meldon* complained of the insufficiency of the staff. He maintained that one Judge for the Court was insufficient.
>
> "Mr. *Mitchell Henry* mentioned that the Judge of the Court had himself expressed the opinion that no additional Judge was necessary.
>
> "Sir *Patrick O'Brien* said, it was within the knowledge of every professional man in Ireland that the working power in the Landed Estates Court was quite inadequate; the delay to suitors being in many cases intolerable. His hon. and learned Friend was quite justified in stating that the staff of the Landed Estates Court was not sufficient to effectually discharge the heavy and important duties of that Court.
>
> "Mr. *Butt* said, that the Act of Parliament appeared to require that there should be two Judges of this Court. The last Government thought they could dispense with the second Judge, but the general opinion of the profession was that the work was too much for one Judge. He had to investigate the titles, and all other matters connected with the estates and the sale of them. He considered that the work was too great for any one man to discharge in a Court where mistakes were liable to occur, and from which there was no appeal.
>
> "Sir *Michael Hicks-Beach* admitted that there was a strong feeling among the Bench, the Bar, and the solicitors of Ireland in favour of the appointment of a second Judge. The facts stated by hon. Members showed, however, that there were great difficulties connected with the subject. The hon. and learned Member for Kildare was perfectly justified in the course he had taken; and in any change that might be deemed necessary in the Judicature system of Ireland the state of the Landed Estates Court would not be lost sight of with a view to improvement.
>
> "Mr. *Whitwell* hoped that in any change that might be made in reference to the business of the Landed Estates Court, the Court would be made a self-sustaining Court.
>
> "Mr. *Mitchell Henry* said, he did not object to the appointment of a second Judge, but only wished that he should not be appointed before the re-arrangement of the Irish Judicature system.
>
> "Vote *agreed to.*"—[3 *Hansard*, ccxxv. 1314.]

Again, my Lords, I find that in the same place this conversation was held on the 11th of August, 1875—

> "Mr. *Kavanagh* asked the Chief Secretary for Ireland, Whether, having regard to the representations addressed to the Government by persons interested in the sale and purchase of land, as well as by both branches of the legal profession in Ireland, in favour of appointing a second Judge to the Landed Estates Court, he will now state whether it is the intention of the Government to fill up the vacant Judgeship?
>
> "Sir *Michael Hicks-Beach:* Sir, the Government have decided to advise Her Majesty to fill up at an early date the Judgeship, now vacant, of the Irish Landed Estates Court. It is intended, as soon as arrangements can be made for the purpose, and legislation on this subject will be proposed to Parliament early next Session, that the Judge to be appointed, in addition to his share of the present work of the Landed Estates Court, shall perform other important duties connected with the same subject which are at present performed by another high legal official, whose office it will, consequently, be proposed to abolish."—[3 *Hansard*, ccxxvi. 854.]

My Lords, after that I do not think it can be alleged with any degree of accuracy or fairness that there was any surprise in the matter of the appointment of a second Judge of the Landed Estates Court. I have now done, my Lords, and it only remains for me to ask your Lordships to read the Bill a first time.

A Bill for the constitution of a Supreme Court of Judicature, and for other purposes relating to the better administration of justice in Ireland, *presented* by the Lord Chancellor.

LORD O'HAGAN said, he thought it necessary only to observe at present that there were many provisions in the Bill on which there would be no difference of opinion, while others would, certainly, be open to objection. It would not be convenient to discuss the Bill till it was printed and in their Lordships' hands; but he felt it was the duty of every one who had interest in the subject to give his noble and learned Friend assistance in passing a satisfactory measure. As the proposals in the Bill would affect a good many interests in Ireland, he hoped his noble and learned Friend, with the view of giving full opportunity for the consideration of it, would put off the second reading for a reasonable length of time.

THE LORD CHANCELLOR proposed to take the second reading on that day three weeks. Of course, there would be ample time after that for a discussion of details.

Bill read 1^{a}; to be *printed;* and to be read 2^{a} on *Thursday* the 6th of *April* next. (No. 31.)

UNITED PARISHES (SCOTLAND) BILL.

QUESTION.

The Earl of MINTO asked the Lord Steward, Whether, on moving the Second Reading of the United Parishes (Scotland) Bill, he wonld be prepared to state to the House the names of the united parishes (specifying the counties in which they are situated) in which there is more than one glebe forming part of the benefice, and the names of such united parishes having more than one glebe as may be affected by the provisions of the Bill; and also the annual value of each glebe in the united parishes with more than one glebe? The noble Lord said, that the Bill to which his Question referred had come to their Lordships' House from the House of Commons, having passed through its stages there *sub silentio*. Those Scotch Members of Parliament from whom he had desired to hear something about it had no knowledge of it. He believed the Bill was founded on a sound principle, but would be of very limited application. He thought it would not be right that it should be proceeded with in their Lordships' House in absolute ignorance of its scope and bearing. The position of *quoad sacra* parishes had become a question of great importance within the last week or two in consequence of a judgment recently pronounced by the Lord Chancellor upon an appeal from Scotland on that matter. He therefore made no apology in asking the Question.

Earl BEAUCHAMP said, he did not complain of the remarks of the noble Earl, but it was an unusual course to make comments upon a Bill which stood for reading on a future day. As regarded the statement made by the noble Earl, that the Bill had passed through the House of Commons almost without discussion, he believed that it was by no means unusual that measures intended only for Scotland passed through the House of Commons without receiving at the hands either of the English or Irish Members those criticisms which Scotchmen often gave upon measures affecting other parts of the Kingdom. But the fact that Scotch legislation often passed through the House *sub silentio* contributed another proof of the singular sagacity of the Scotch Members, because by means of meeting together and discussing their measures, they were enabled to carry them through the House of Commons without raising any very long discussion upon them. It had always been his custom, when introducing any Bill to their Lordships' consideration, to give them every possible information upon it, and also to address to them such arguments as he considered were necessary for the support of the Bill, and he saw no reason for supposing that he was about to depart from that custom in reference to the present Bill. The noble Earl had asked him whether he was prepared to give him the number of the united parishes having more than one glebe which would be affected by the Bill, and the assumed value of each glebe. He believed that full information would be given in respect to the number, but he wished to guard himself from stating the annual value of the united parishes where there was more than one glebe, because many of these glebes were very small, and he could not at present give any detailed information on them. But he assured the noble Earl that when the Bill came on for a second reading, all the information possible for him to give would be rendered, and he had no doubt that he should be able to persuade their Lordships to read it a second time.

The Earl of MINTO said, he had not meant to charge the noble Earl with doing anything wrong; he merely wished to elicit information.

House adjourned at Six o'clock, till
To-morrow, half-past
Ten o'clock.

HOUSE OF COMMONS,

Thursday, 16*th March*, 1876.

MINUTES.] — Select Committee — Local Government and Taxation of Towns (Ireland), *appointed.*

Public Bills — *Ordered—First Reading*—Parliamentary and Municipal Registration (Boroughs) * [108].

Committee—Royal Titles [83]—R.P.

Considered as amended—Burgesses (Scotland) * [48].

Third Reading—Manchester Post Office * [100], and *passed.*

SOUTH-EASTERN RAILWAY BILL.

(*By Order*).

SECOND READING. ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Question [9th March], "That the Bill be now read a second time."

Question again proposed.

Debate *resumed.*

SIR CHARLES RUSSELL moved that the debate should be further adjourned, so that the Bill as it had been amended might be printed and laid upon the Table. He understood that considerable concessions had been made, and that opposition to certain parts of it had been withdrawn. The Bill, as originally introduced, contained very wide provisions, which inflicted considerable hardship upon his constituents. It scheduled certain property in Westminster for the purpose of enlarging Charing Cross Station, and very injuriously affected the owners and occupiers of property in the vicinity of that station. He instanced the property in Craven Street and also 72 acres in the neighbourhood of Battle, which it was proposed to take for other purposes. It also appeared that the Bill was not only an omnibus Bill, but a ship Bill, involving the enlargement of Folkestone Harbour. He had received a communication from the chairman and deputy-chairman of the *Castalia* stating that the South-Eastern Company had refused through tickets for passengers going by that vessel, and that they started their trains 15 minutes before the *Castalia* arrived. In point of fact, the Bill contained such multitudinous provisions that, in order to enable private individuals to protect their rights, it was necessary that the Bill should be seen in its altered shape. Many of its provisions had been so changed that it was virtually a new measure. He moved that the debate be adjourned until Monday next.

Motion made, and Question proposed, "That the Debate be now adjourned." —(*Sir Charles Russell.*)

LORD ELCHO said, he thought everyone would concur in the object of the Bill, which was to facilitate intercommunication between London and Paris by running trains to correspond with the departure and arrival of the *Castalia.* Originally it had been opposed at both ends—both by the citizens of Westminster at Charing Cross, and by the people of Sandgate and Folkestone at the other end. He found that these latter had withdrawn their opposition; but the Motion of the hon. Gentleman raised a great question of principle, that the proposed Amendments of a Private Bill should be placed upon the Table prior to second reading, that the House should understand how far they modified the original measure. It would be well if the House could in some way, by a clause in the Bill, get rid of that ghastly structure, the tubular station at Charing Cross, which was equalled only by the other at Cannon Street, and to prevent their repetition.

MR. KNATCHBULL-HUGESSEN said, that this Bill had never been before the House before, there was no reason for excepting it from the general rule, and the proper tribunal for deciding this question was a Select Committee. The Metropolitan Board of Works, who were principally concerned in the property at Charing Cross which the company wished to acquire for the purpose of enlarging their station, had withdrawn their opposition to the Bill, upon the understanding that if the company could not agree with them as to terms, this part of the Bill would not be pressed this year, and Folkestone and Sandgate had practically also withdrawn opposition. The opposition of the hon. Baronet's constituents was one essentially to be decided by a Select Committee, being principally confined to a solicitor who did not want to be turned out of his house, and an agent who was not satisfied. There had been no Petition presented against the Bill from Hastings, nor had any one appeared to oppose. It was not, as had been stated, "Watkin's" Bill, and he was, perhaps more than any one else, responsible for that part of the Bill which proposed to fill the gap between Sandgate and Folkestone, which everybody agreed should be filled up, the main point of difference being the adoption of a tunnel instead of a coast line for approaching the harbour. He objected to the Bill being opposed on the ground that it was an omnibus Bill so long as such Bills were sanctioned by Parliament, and the *Castalia* had only been introduced for the purpose of prejudice. Omnibus Bills were in many respects objectionable; but the House constantly passed them, and only the othe other day the London and North-Western passed one of 112 clauses including powers to two other companies to borrow money and to a company to build a pier at Dundalk, in Ireland. Let the House alter the system of omnibus Bills if it pleased; but not suddenly visit the sins of the system upon a particular company. He (Mr. Knatchbull-Hugessen) came on the direction of the company last year, and the Directors agreed to send down Sir J. Hawkshaw with the simple instructions to lay out a line to fill up the gap between Hythe and Folkestone, with as little damage as possible to private property. The company were ready to make any reasonable concessions before a committee, and in common justice and for the House's own credit, they should send the Bill to that tribunal. He objected to any further adjournment.

Sir JAMES HOGG, on behalf of the Metropolitan Board of Works, stated that the promoters of the Bill had met the objections of the Board in a very fair spirit. An arrangement had now been entered into, by which, if the company failed to come to terms with the Board of Works, all that part of their Bill which related to the Charing Cross Station would be withdrawn. Under these circumstances, he should oppose the Motion for adjournment.

Mr. HERMON said, he had received a communication from Folkestone to oppose the Bill; but in consequence of the altered plans he should not do so, because it would be better to consider the details in a Select Committee.

Mr. RAIKES said, the opposition which had been offered to the Bill was of a very varied description. At Folkestone it was opposed by the owners of property, and at the Charing Cross end it was objected to by the occupiers whose property would be interfered with. But, in addition, it proposed to enlarge the harbour of Folkestone and to introduce many very important changes. He believed the Company had made very great concessions, and he asked if it was fair that, after having made them, they should be told that that was simply a ground for further delay. Under all the circumstances, he hoped the Amendment would not be pressed, but that the Bill would be read a second time and referred to a Select Committee—the only tribunal which could properly examine its details.

Sir CHARLES RUSSELL said, that after the appeal which had been made to him by the Chairman of Committees he should not divide the House.

Motion, by leave, *withdrawn.*

Main Question put, and *agreed to.*

Bill read a second time, and *committed.*

SUNDAY TRADING—THE BAKERS ACT·

QUESTION.

Mr. P. A. TAYLOR asked the Secretary of State for the Home Department, Whether his attention has been directed to a case in which a baker (Mr. Durant) of Greek Street, Soho, was lately convicted and fined for baking bread on a Sunday at the instance of other bakers; and, whether he will consider the propriety of placing the Act 6 and 7 Will. 4, c. 37, s. 14, under which the conviction was obtained, under the same limitation as the Act of Chas. 2, against Sunday Trading has already been placed by the Act 34 and 35 Vic. c. 87, which enacts that proceedings can only be taken by the chief officer of police, or with consent of two justices of the peace?

Mr. ASSHETON CROSS, in reply, said, he had received no complaint with regard to the operation of this Act, and until some complaint was made to him it would be unwise and unnecessary to interfere with the existing law.

THE VACCINATION ACT—PROSECUTIONS.—QUESTION.

Mr. P. A. TAYLOR asked the President of the Local Government Board, Whether he has received a representation from two persons in Andover, Mr. F. Pearce, photographer, and Mr. Harvey, tailor, stating that they had each been punished twenty times for non-compliance with the provisions of the Vaccination Acts; whether such repeated prosecutions are in harmony with the instructions sent to boards of guardians; and, whether he will not intervene to stop further proceedings in their case?

Mr. SCLATER-BOOTH, in reply, said, he had received a communication from Mr. Pearce, of Andover, on the subject of the penalties inflicted upon him for non-compliance with the provisions of the Vaccination Acts. Cases of the kind were of frequent occurrence, and he intended to lay upon the Table a copy of a letter which he had caused to be addressed to several Boards of Guardians. In that letter the opinion of the Local Government Board was stated as to the law of the case, and also as to the discretion vested in the Guardians.

POST OFFICE—NORTH AMERICAN MAILS.—QUESTION.

Mr. BAXTER asked the Postmaster General, If he is now able to state what arrangements are proposed for the conveyance of the Mails between this Country and North America after the termination of the present contracts?

Lord JOHN MANNERS, in reply, said, it was intended, after the end of this year, to enter into arrangements in regard to the conveyance of the United States mails similar to those which had prevailed in the United States since the 1st of January, 1874. The plan was to employ, without contract, such vessels only as had proved their efficiency, paying the owners according to the weight of the mail matter carried.

THE AGRICULTURAL HOLDINGS (ENGLAND) ACT—STAMPS.—QUESTION.

Sir JOHN KENNAWAY asked Mr. Chancellor of the Exchequer, Whether, where landlord and tenant enter into an agreement under the Agricultural Holdings (England) Act of last Session to adopt a portion of that Act, such agreement would require an ad valorem stamp, as if it were a lease or an agreement for a lease?

The CHANCELLOR of the EXCHEQUER, in reply, said, that if any agreement was entered into under the Agricultural Holdings (England) Act to adopt the operation of that Act, such an agreement, if not in itself a lease or an agreement for a lease, would not require an *ad valorem* stamp, but a 6*d*. stamp would be sufficient if under hand, and a 10*s*. stamp if under the form of a deed.

THE COPYRIGHT COMMISSION.
QUESTION.

Mr. E. JENKINS asked the President of the Board of Trade, When it is intended that the Copyright Commission shall meet; whether any steps have been taken to fill up the vacancy in the chairmanship of the Commission caused by the decease of the late Chairman; and, if so, who has been appointed; whether it is true that some members of the Commission have resigned; and, if so, the names of such members; whether the Government will, in substituting new members for those who have resigned, consider the claims of literary men to be fully represented upon the Commission; and, lastly, by whose authority it was announced that a secretary had been appointed before the Commission had met?

Sir CHARLES ADDERLEY: The lamented death of Lord Stanhope has caused the delay of the Copyright Commission. The noble Lord the Postmaster General has consented to take the Chairmanship. Three of the Commissioners have resigned—Lord Rosebery, Mr. Farrer, Permanent Secretary of the Board of Trade, and the Under Secretary of State for Foreign Affairs (Mr. Bourke). The Commission must be re-issued, and great care is being taken to fill up the vacancies in consideration of the claims and representation of literary men. The Secretary, Mr. John L. Goddard, was appointed by Lord Stanhope on the 8th of November last, and has already done very good service in preparation for the work of the Commission. He has written an abstract of the law of copyright, 23 Acts, and a precis of official and foreign correspondence which has taken place, and has drawn up a memorandum on the whole subject.

KNIGHTSBRIDGE BARRACKS—"PRESERVATION OF PEACE" IN LONDON.
QUESTION.

Mr. HERBERT asked the Secretary of State for War, What measures he proposes to take for the preservation of peace in the Metropolis during the absence of the Life Guards from Hyde Park while the barracks at Knightsbridge are being rebuilt?

Mr. GATHORNE HARDY: I think the inhabitants of London will learn with some surprise that an hon. Member from Ireland considers the Secretary of State for War is entrusted with the preservation of the peace of London. That duty is under my right hon. Friend the Home Secretary, and I have no doubt if he should require assistance—which I do not in the least anticipate—I shall be perfectly ready to give it him.

AGRICULTURAL HOLDINGS (ENGLAND) ACT — GREENWICH HOSPITAL ESTATES.—QUESTION.

Mr. BEAUMONT asked the First Lord of the Admiralty, Whether the Government intend to allow the Agricultural Holdings Act to come into operation on the Greenwich Hospital estates situated in the county of Northumberland?

Mr. HUNT, in reply, said, it was intended that the Act should come into operation with regard to that portion of the estates which was not under lease. They were, however, a small part. Nearly the whole of the estates were under leases of 14 and 21 years, and to such contract of tenancy the Act did not apply.

SALE OF ADULTERATED DRINKS AT FAIRS, &c. (IRELAND).—QUESTION.

Mr. MITCHELL HENRY asked the Chief Secretary for Ireland, Whether his attention has been directed to the report of a conversation which took place at the recent Roscommon Assizes between Judge O'Brien and the Grand Jury relative to the sale of adulterated drinks at fairs and markets, and to the discharge by the police of their duties under the Adulteration of Food Act; and, if he will inform the House what instructions have been issued to the police on the subject by the Inspector General of Constabulary?

Sir MICHAEL HICKS-BEACH, in reply, said, that his attention was directed to the report of the conversation alluded to by the hon. Member; but he did not think the report was entirely accurate. The Constabulary were not the servants of the local authority, and there was a difficulty at present in providing them with the funds necessary in order to carry out the Act. He was in communication with the Vice President of the Local Government Board on the subject, and hoped soon to be able to remedy the difficulty.

ARMY — COMMISSARIAT AND TRANSPORT OFFICERS.—QUESTION.

Sir HENRY HAVELOCK asked the Secretary of State for War, Whether, in view of the dissatisfaction that exists among the Officers of the old Commissariat, now in the Commissariat and Transport Department, as set forth in representations made to the Surveyor General of the Ordnance by individual Officers, it is his intention, either by appointing a Committee or personally to examine into the grievances of those Officers and into the causes of stagnation of promotion under which the whole of the Commissariat and Transport Officers are suffering?

Mr. GATHORNE HARDY, in reply, said, that there was at present a Committee sitting on the *personnel* of the Supply department, and that until that Committee reported, which he expected they would do before long, the complaints made by the old Commissariat officers could neither be comprehensively nor satisfactorily dealt with.

CHURCH BODIES (GIBRALTAR)—THE ORDINANCES.—QUESTION.

Mr. DILLWYN asked the Under Secretary of State for the Colonies, If he can state to the House, what is the number of Civil Servants of the Anglican and Roman Catholic Communions respectively employed at Gibraltar, for whom it is proposed by the draft ordinances published by the authority of the Governor of Gibraltar on the 15th of January last, to provide endowments; and, whether those draft ordinances were prepared or recommended by the Attorney General of the Colony?

Mr. J. LOWTHER: According to the latest Return, the Civil Servants employed at Gibraltar consisted of 52 members of the Church of England and 79 Roman Catholics. These figures, of course, take no account of a considerable non-official population. These draft ordinances were not prepared by the Attorney General of the colony, but other drafts, embodying for the most part similar conditions, were prepared by him and were rejected on account of some comparatively minor details. These will be included in the Papers about to be laid upon the Table, so that my hon. Friend will be able to compare them with those now under consideration. I may take this opportunity of stating that, in order to meet the views of my hon. Friend, no immediate action will be taken upon this matter, and I will undertake that no final step is adopted before Easter. As, however, any prolonged delay would be productive of inconvenience, I hope he will be able to take whatever steps he thinks necessary before that date; and I would venture to suggest that such action should take the form of a Motion, which would admit of some explanation in reply.

MR. DILLWYN gave Notice that on the Motion to go into Supply he would move for Papers and Correspondence on the subject.

COMMERCIAL RELATIONS BETWEEN ENGLAND AND PORTUGAL.

QUESTION.

MR. W. CARTWRIGHT asked the Under Secretary of State for Foreign Affairs, If he would lay upon the Table any Correspondence that may of late years have been exchanged with Portugal about existing commercial relations between England and Portugal, and particularly a Note Verbale, dated January 8th, this year, which was presented from Portugal in regard to the Customs Dues on Wine that are levied in England?

MR. BOURKE, in reply, said, that the Correspondence referred to by the hon. Gentleman was being prepared for production, and that the Papers would probably be laid on the Table before Easter.

THE RESERVE FORCES—CAPTAINS IN THE ROYAL MARINE ARTILLERY.

QUESTION.

COLONEL NAGHTEN asked the First Lord of the Admiralty, Whether he intends to limit the number of Captains in the Royal Marine Artillery allowed to hold appointments in the Reserve Forces, and to take any steps to prevent officers escaping from their proper turn of service afloat by obtaining appointments just as they are approaching the top of the Foreign Service Roster?

MR. HUNT, in reply, said, that it had been decided to establish some such limit; but that the question as to what the precise limit should be was still under consideration.

Mr. J. Lowther

NAVY—ROYAL NAVAL ENGINEERS.

QUESTION.

MAJOR BEAUMONT asked the First Lord of the Admiralty, Whether he intends to act upon the Report of the Commission on the Royal Naval Engineers; and, whether he will lay a copy of the Report upon the Table of the House?

MR. HUNT, in reply, said, that he was waiting for the Report of the Accountant General as to the financial effects of the proposals of the Commission on the Royal Engineers before he came to any decision in the matter. As soon as a decision had been arrived at there would be no objection to lay a copy of the Report of the Commission on the Table.

INDIA—OFFICE OF ADVOCATE GENERAL OF BENGAL.—QUESTION.

MR. FORSYTH asked the Under Secretary of State for India, Whether it is the intention of the Secretary of State for India to fill up the office of Advocate General of Bengal, such office having now been vacant for four years, or whether it is intended to abolish the office for the future?

LORD GEORGE HAMILTON, in reply, said, that a Committee had been appointed to consider how the legal business of the Government in India could be best performed. The Report of the Committee had been the subject of considerable correspondence between the Secretary of State and the Governor General of India. The details of the scheme were not yet settled, and it would, he thought, be unwise, pending their settlement, to make any declaration on the subject.

CRIMINAL LAW—CASE OF MARGARET M'FADDEN.—QUESTION.

MR. SULLIVAN asked the Secretary of State for the Home Department, Whether his attention has been called to the newspaper reports of the trial of Margaret M'Fadden at the recent Bucks Assizes, and to the letters and evidence of the Reverend G. A. Johnson thereupon disclosed; and, whether, in view of the circumstances of that case, he will recommend a mitigation of the sentence of nine months imprisonment which was passed upon the prisoner notwithstanding the strong recommendation to mercy by the jury?

Mr. ASSHETON CROSS, in reply, said, that his attention had not been called to the case until he saw the Question of the hon. Member. He had since read the report, and had thought right to communicate with the learned Judge who tried the case in order to ascertain the full facts connected with it. He could only assure the hon. Gentleman that that case, like all others of the kind, would receive the serious consideration of the Secretary of State.

ARMY—MOBILIZATION OF ARMY CORPS.—QUESTION.

Mr. PRICE asked the Secretary of State for War, Whether he has decided which Corps d'Armée are to be mobilized next summer; when the Militia Regiments that will have to take part in the mobilization are likely to receive their orders for training; and, whether he can state approximately the time when the mobilization will take place?

Mr. GATHORNE HARDY, in reply, said, that early notice would be given as to the *Corps d'Armée* which were to be mobilized next summer, and as to when the Militia that would have to take part in the mobilization would be called out for training. Without pledging himself to any particular date, he thought he might say that the mobilization would be in the month of July.

POST OFFICE TELEGRAPHS—SAFETY OF WIRES (METROPOLIS).—QUESTION.

Sir HENRY PEEK asked the Postmaster General, Whether Government is responsible for the safety of the Telegraph wires hung in all directions across public thoroughfares, and liable to make good any damage resulting from proper supervision having been neglected?

Lord JOHN MANNERS: The Post Office, standing in the place of the late telegraph companies, is, I presume, responsible for the safety of all postal telegraph wires, and is liable to make good any damage resulting from neglect of its officers. I may add that so alive am I to the expediency of substituting, in crowded thoroughfares, underground for overground wires, that during the last two years 337 miles of underground have been substituted for overhead wires, and 217 miles of additional underground wires have been laid, so that in that period 554 miles of underground instead of overhead wires have been laid in London alone. I hope that after some time the whole scheme, so far as the metropolis is concerned, will be completed.

LANDED ESTATES COURT (IRELAND) —APPOINTMENT OF A SECOND JUDGE.—QUESTIONS.

Dr. WARD asked Mr. Solicitor General for Ireland, Whether Judge Flanagan, who was for a considerable time sole judge of the Landed Estates Court, Ireland, stated to the Government that he was willing to continue to discharge the whole duty of the Court, and that there was no necessity for the appointment of a second judge?

Mr. CALLAN asked Mr. Solicitor General for Ireland, Whether representations were addressed to Her Majesty's Government by persons interested in the sale and purchase of land in Ireland, as well as by the Incorporated Law Society of Ireland, to the effect that any attempt to limit the working of the Landed Estates Court, Ireland, would be attended with disastrous results to the public; and, whether, if effect had been given to Judge Flanagan's recommendations, judicial duties now imposed on the judges of that Court would not necessarily have been transferred to any non-judicial and inferior official?

The SOLICITOR GENERAL for IRELAND (Mr. Plunket): In answer to the hon. Member for Galway (Dr. Ward), I beg to refer him to a Return of Correspondence relating to the Landed Estates Court, Ireland, ordered by this House to be printed on the 12th of June, 1873, from which it appears that in the month of January, 1873, Judge Flanagan wrote to the Government of the day that—

> "There was not, in his opinion, any necessity for the appointment of a second Judge in the Landed Estates Court, and that the non-appointment of a second Judge would not in any way interfere with the due despatch of the business of the Court, but that unless sufficient provision were made for the efficient discharge of the Ministerial business, great (possibly undue) labour would be cast upon him."

In answer to the hon. and learned Member for Dundalk (Mr. Callan), I have to say that it appears from the Return to which I have already referred that in January, 1873, a resolution was adopted by the Incorporated Law Society of Ireland to the effect "that any attempt to limit the working of the Landed Estates Courts to one Judge would be attended with disastrous results to the public," and that this resolution was forwarded to the then Irish Government. Similar representations have from time to time been addressed by the same learned body to the present Government, and also by the Law Society of Cork. It is also true that the necessity of appointing a second Judge to the Landed Estates Court has been urged upon the Government in this House and out of it by persons interested in the sale and purchase of land in Ireland. As to the second part of the Question, I do not think it would be convenient at present to enter upon a discussion as to what rearrangement of judicial work in the Landed Estates Court would have been necessary if effect had been given to the recommendation of the learned Judge. In answer to the last part of the hon. and learned Member's Question, I have to state that I am not aware that any application was made by Judge Flanagan for an increase of his salary.

REGISTRATION OF BIRTHS AND DEATHS—MEDICAL CERTIFICATES.

QUESTION.

Mr. ASHBURY asked Mr. Chancellor of the Exchequer, If he is aware that the Registrars of Births and Deaths in many provincial towns in England, but notably in Leeds and Liverpool, are charging more than one shilling for giving a certificate of the death of a member of a Friendly Society; and, if so, whether steps have been taken to limit the cost of such certificate in the future to the sum of one shilling, as provided by Clause 15, s. 9, of the Friendly Societies Act, 1875, especially as Clause 14, s. 2, of the said Act makes it imperative for such certificate to be produced.

The CHANCELLOR of the EXCHEQUER, in reply, said, he did not think that the hon. Member was strictly correct as to the effect of the Friendly Societies Act. As to the charges, where an application was presented in regular form, the Registrars could charge only 1*s.*, but in many cases they were asked to fill up rather elaborate forms, and in such cases, he believed, they charged a small additional fee. He had been in correspondence for some time with his right hon. Friend at the head of the Local Government Board and the Registrar General on the subject, and he should endeavour to come to some arrangement with regard to it.

THE SLAVE TRADE—THE SULTAN OF ZANZIBAR.—QUESTION.

Mr. MILLS asked the Under Secretary of State for Foreign Affairs, Whether a Proclamation has been recently issued by the Sultan of Zanzibar prohibiting the transit of Slaves through his dominions; and whether, if so, Her Majesty's Government would consider the present a favourable opportunity for some relaxation of the exceptionally stringent provisions of Article 9 of the Commercial Treaty of 1839, by which the Sultan (who has surrendered a large Revenue from Customs Duties on Slaves) is precluded from levying any harbour dues on foreign shipping for the purposes of providing piers and lighthouses in the intricate waters of Zanzibar?

Mr. BOURKE: It is true that a Proclamation has recently been issued by the Sultan of Zanzibar prohibiting the passage of slave caravans through his territory on their way to the Somali Coast. With regard to a relaxation of the provisions of Article 9 of the Treaty of 1839, when Dr. Kirk was in this country in attendance upon the Sultan he was directed to report on his return to Zanzibar whether it would be possible to amend the article of the Treaty so as to enable the Sultan to revise the scale of duties now in force. Dr. Kirk is now engaged in this inquiry; but the difficulty lies in the fact that the Sultan has similar Treaty engagements with other Powers, and unless they all agree to a revision of the Zanzibar Tariff it would be impossible for this country to consent to allow such a revision of the tariff which would have the effect of placing the subjects of Her Majesty at a disadvantage compared with those of other Powers.

THE TICHBORNE CASE—THE QUEEN *v.* CASTRO—WITNESSES.

QUESTION.

Mr. WHALLEY asked the Secretary of State for the Home Department with reference to affidavits from all the relations of Arthur Orton now in England declaring the convict Castro, alias Arthur Orton, alias Sir Roger Doughty Tichborne, baronet, is not Arthur Orton, delivered at the Home Office by Mr. Anthony Wright Biddulph, the cousin of the said convict and a justice of the peace for Sussex, Whether such affidavits have been submitted for the opinion of the judges who tried the case; and, if so, the result thereof; and, whether, assuming those affidavits are not believed, it is the intention of the Government to prosecute the deponents for perjury?

Mr. ASSHETON CROSS: In answer to the Question of the hon. Member, I have to state that it is by no means an uncommon practice for prisoners not to present witnesses at their trial, where they might be subjected to severe cross-examination, and afterwards deluging the Secretary of State with the so-called affidavits and statements made by those persons. The witnesses mentioned in the hon. Member's Question might have been called at the trial, and the fact that they were not called was the subject of severe comment on the part of the Lord Chief Justice. These so-called affidavits are not affidavits in any judicial proceeding pending, nor are they material to issues pending, neither are they statutory declarations. Therefore, I have not thought proper to trouble any of the learned Judges who tried the case with respect to the matter, and it is not the intention of the Government to take any proceedings in relation to it.

Mr. WHALLEY: In consequence of the reply of the right hon. Gentleman, I beg to give Notice that I shall on a future occasion call attention to the affidavits in question.

THE SUGAR CONVENTION, 1875—REFUSAL BY THE DUTCH CHAMBER.

QUESTION.

Mr. GOSCHEN asked the Under Secretary of State for Foreign Affairs, Whether it is true that the Dutch Chamber has refused to ratify the Convention for the abolition of bounties on the export of refined sugar, which was agreed upon by delegates from Great Britain, France, Holland, and Belgium at a conference at Brussels in July 1875; and, if so, what steps are proposed to be taken in consequence by Her Majesty's Government?

Mr. BOURKE, in reply, regretted to say that the Dutch Chamber had refused to ratify the Convention alluded to. Negotiations were, however, being conducted at the present time between Her Majesty's Government and the other Powers interested in the matter with the view of ascertaining whether it was possible to attain the object contemplated by the Convention. The sugar refiners of this country were perfectly well aware that this was a subject to which Her Majesty's Government had paid great attention, and they intended still to pursue the same object with the view of obtaining the desired results.

EGYPTIAN FINANCE—MR. CAVE'S REPORT.—QUESTIONS.

Mr. J. W. BARCLAY asked the First Lord of the Treasury, When Mr. Cave's Report on the Finances of the Khedive of Egypt will be presented to Parliament?

Mr. DISRAELI: Sir, there has been no unnecessary delay in regard to the production of Mr. Cave's Report; but I think the hon. Member is under some erroneous impression as to the circumstances. I understand it was only on Tuesday last that the Report was sent in, late in the afternoon, to the Foreign Office. Yesterday my noble Friend the Secretary of State for Foreign Affairs considered it in order to make his Colleagues acquainted with it; but up to the present moment neither myself, the Chancellor of the Exchequer, nor any other Colleague of my noble Friend the Secretary of State for Foreign Affairs has yet even seen it.

Mr. LOWE asked, Whether it was intended to take the Vote for Mr. Cave's mission that night?

The CHANCELLOR of the EXCHEQUER: We will postpone it.

ARMY—SUPERNUMERARY MAJORS OF CAVALRY.—QUESTION.

Mr. TENNANT asked the Secretary of State for War, Whether he has any objection to state why there are at present in the Cavalry of the Line so many supernumerary Majors on full pay or waiting absorption; and, whether it is the intention of the authorities at the

War Office, having regard to the just claims of officers, and the economical administration of the Army, to fill the vacancies that occur in other Cavalry regiments by the transfer and absorption of these supernumeraries?

Mr. GATHORNE HARDY: Supernumeraries arise from two causes—one, the reduction of the Establishment, and the other on giving power to those officers to hold Staff appointments by which regimental promotion has been given in those corps to which they belong. It is not generally the intention of the authorities to fill up vacancies in other Cavalry regiments by these supernumerary Majors; for that would interfere unfairly with the promotion of the senior Captains and Lieutenants of those regiments.

ROYAL TITLES BILL—[Bill 83.]

(*Mr. Disraeli, Mr. Assheton Cross, Mr. Attorney General, Lord George Hamilton.*)

COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Mr. Disraeli.*)

The Marquess of HARTINGTON, in rising to move—

> "That, while willing to consider a measure enabling Her Majesty to make an addition to the Royal Style and Title, which shall include such Dominions of Her Majesty as to Her Majesty may seem meet, this House is of opinion that it is inexpedient to impair the ancient and Royal dignity of the Crown by the assumption of the style and title of Emperor,"

said: Mr. Speaker, Sir, the House will believe me when I say that I undertake the task of moving this Amendment against the further progress of the Bill now before us with great reluctance. I remember that my right hon. Friend the Member for the University of London (Mr. Lowe), when he made some remarks on the introduction of this Bill, stated why it was a matter of very considerable delicacy and very considerable difficulty to deal with. He stated—and his statement is perfectly correct—that it can hardly be supposed that Her Majesty's Ministers have introduced this measure without ascertaining that the proposal they make will not, at all events, be distasteful to the feelings of Her Majesty. Therefore, if we believe—as we must believe—that Her Majesty's feelings are to some extent, however small that extent may be, interested in this matter, I am sure the House will give me credit for feeling that I am placed in a position which is not only delicate, but painful, when I venture to submit to the House some reasons why this Bill should not be further proceeded with. Since the introduction of this Bill grave questions have arisen—questions larger and wider than any contemplated at the time it was introduced; larger, certainly, than were foreseen by the people of this country in general; larger than were foreseen by the public Press or by public men in general. And it is the duty of this House not to shrink from the discussion of these issues now that they have been raised—issues which may possibly affect not only the future administration of our Government in India, but which may also touch the place which the Crown has hitherto held, and now holds, in the feelings and affections of the people of this country. Sir, I am very far from imputing any blame to Her Majesty's Government for the introduction of this measure. Some of us might have doubted the necessity—some might doubt the expediency—but very few, I think, upon this side of the House would have been found to oppose warmly the introduction and passing of a measure the object of which should be, as stated in the Preamble of this Bill, the recognition of the transfer of the Government of India to the direct Government of the Queen. And no one could have felt any doubt that, if such a measure were introduced at all, the present was a most fitting and opportune moment for introducing it—the moment when, for the first time in our history, the eldest son of the Sovereign has visited, and made himself acquainted with India itself, and when he has been cordially and loyally received by all classes of Her Majesty's subjects there. As to the title itself which Her Majesty is advised to assume, I am perfectly ready to admit that, unless the Government was possessed of something of the spirit of prophecy, it would have been difficult for them to foresee the repugnance and distaste with which the proposed title is viewed by a large portion—I do not say by the whole—of the people of this country. That feeling, whether it be great or whether it be small, which now does exist, at all events to a certain extent, is a feeling perfectly spontaneous in its growth. It has certainly not been stimulated by articles in the public Press. It has not been stimulated by speeches in this House. As to the Press, when this proposal was first made the opinion of the Press was almost unanimous in its favour; and when my right hon. Friend (Mr. Lowe) thought it his duty upon the introduction of the measure to make some observations upon its scope and objects, what was the objection taken to the speech of my right hon. Friend? It was that my right hon. Friend presented a view of our position and prospects in India which were the very reverse of the view likely to commend itself to popular sympathy; and I can imagine no speech less intended or calculated than the speech of my right hon. Friend to raise a popular cry against the proposed title. Then, Sir, I maintain that the feeling which exists in the country on this subject is one of a perfectly spontaneous growth; that from the moment when the real effect of the Bill was known this feeling has been growing in strength from day to day; and it must be admitted, I think, by the Government itself that if the Bill is passed — as I suppose it will pass—and Her Majesty assumes the title which she is to be advised to assume, she will not assume it by that unanimous acclamation of the people of this country which alone, I conceive, would render such a title acceptable to Her Majesty. While, as I have said, I impute no blame whatever to the Government for the introduction of the measure, I cannot admit that their conduct of the measure has been judicious. The speech in which this Bill was introduced to the House, either intentionally or otherwise, failed to convey to the House the true nature and extent of the issue raised by the proposal of the Government. The First Lord of the Treasury has stated that there has been no mystery in this matter. I must take leave to differ from the right hon. Gentleman. I think there has been, and there is still, mystery, and unnecessary mystery; and this unnecessary mystery accounts for much of the repugnance which the measure has created. There was mystery when the right hon. Gentleman refused, on the introduction of the Bill, to tell the House what title Her Majesty would be advised to assume. The right hon. Gentleman rested his refusal upon precedent, and upon respect to the Royal Prerogative. But, if the right hon. Gentleman conformed to the strict letter of precedent, in my opinion he departed widely from the spirit of precedent. If the right hon. Gentleman followed strictly the precedent of the Act of Union, he could point to no precedent for asking the House to consider a measure as to the scope and object of which we were left in entire ignorance. Then as regards respect for the Royal Prerogative, I think that the Royal Prerogative is not concerned in this matter at all. By "the exercise of the Royal Prerogative," I take to be meant the exercise of some power for which the Crown does not require the assent of Parliament. But when Her Majesty's Ministers come to the House and ask Parliament to grant powers which Her Majesty does not at present possess, it appears to me there can be no question of Prerogative at all; it is open to Parliament to refuse or to grant these powers precisely under the conditions which may seem most expedient to Parliament. There was mystery again when the right hon. Gentleman, in answer to a Question from my hon. Friend (Mr. Samuelson), refused to state what title Her Majesty would be advised to take. If the right hon. Gentleman thought that the answer to a Question put by a private Member was not a fitting opportunity for giving this information to the House, the right hon. Gentleman might at least have informed the House that, at a fitting time, such a statement would be made, instead of waiting for the second reading, and asking the House to pass on the same evening the second reading of a Bill the scope and purpose of which they had only just learnt. There was mystery again when the right hon. Gentleman refused, in answer to the hon. Member for Dumfries (Mr. Noel), to lay on the Table the despatches which had been received from India upon this subject. The right hon. Gentleman said it would not be expedient to lay on the Table these despatches, or extracts from these despatches; and for this reason—

> "They involve," he said, "political considerations with reference to the particular title contemplated by Her Majesty—considerations which

> we have scrupulously refrained from introducing, and I trust that these debates may be closed without their being introduced."

Is there no mystery in such an announcement as this? "Political considerations" are involved, and these "political considerations" are not only not to be discussed by this House, but we are not even to be told what these "political considerations" are. Last of all, there was mystery in the proceedings of the right hon. Gentleman when, in answer to my hon. and learned Friend (Sir William Harcourt), he refused to state whether the Governor General in Council, or the Indian Council, had been consulted at all on the subject of this Bill. I now turn from the course of conduct adopted by Her Majesty's Government since the introduction of this Bill to the Bill itself, and to the title which it is proposed that Her Majesty should assume. We are told that this proposal is made in the interests of India, and in the interests of India alone. We have, however, had no information up to this time as to the Indian object which this measure is expected to attain, the Indian advice upon which this measure has been based, or the Indian results which it is expected to accomplish. We have been told that it is merely the completion of an intention formed in 1858—an intention postponed, but an intention which has never been abandoned. Sir, it is not our fault if the conduct of the Government and the form of the Bill itself lead us to suppose that there is something more in this proposal than the mere resumption of an intention which may have been formed in 1858. We have the declaration of the Government, to which I have just referred, that "political considerations" are involved as to the particular title which Her Majesty is to assume, and we have the evidence also of the Preamble of the Bill itself, to which, with the permission of the House, I will allude. The Preamble of the Bill recites that by the Act for the better Government of India it was enacted that the Government of India—

> "theretofore vested in the East India Company in trust for Her Majesty, should become vested in Her Majesty, and that India should thenceforth be governed by and in the name of Her Majesty."

But, Sir, that is not a correct recital of the Act for the better Government of India. That Act recited—

> "That the territories in the possession or under the government of the East India Company, and all rights vested in them or which if this Act had not been passed might have been exercised by the said Company in relation to any territories in India, should become vested in Her Majesty."

Well, what is the object of that recital in the Preamble? If the reason for this change of title is to be found in political considerations, to which reference is to be avoided if Her Majesty is to be advised to assume more direct and personal power over the whole of India, over the Princes and the people of India, we contend that this is a policy, whether it be right or whether it be wrong, which ought not to have been introduced to the notice of the House in a Bill of this kind—a Bill which, discuss it as we may, cannot be discussed without some reference to considerations personal to Her Majesty the Queen. Then, if I assume that the Government will be willing to alter the Preamble as proposed by my hon. and learned Friend the Member for Oxford, am I also to assume that the Prime Minister will offer to the House some explanation of those mysterious political considerations with which, he said, we ought not to meddle? We have been told that the Princes and the people of India are ardently desirous that the Queen should assume this new title. Well, as to the people of India, we were informed the other night by the noble Lord the Secretary of State for that country that the people of India are politically dumb; and therefore the expression of their ardent desire upon this matter can hardly have influenced Her Majesty Government. And, as to the Princes themselves who may have expressed some such wish, I would venture to suggest to the House that this new title which Her Majesty is to be advised to assume, can only reach them through the medium of translation. An important point, therefore, for our consideration is, what the English title of the Queen in respect of her Indian possessions is to be, and what is the translation into the Oriental languages by which that title would be made known to our fellow-subjects in India. We have not been told by any Member of the Government what change in the translation of the title of Her Majesty is to be the result of this measure. I am quite willing to admit that no great amount of information would be conveyed to the House if we were told the Hindoo word by which the title is to be translated. But I think the House ought to know, and ought to be told by the Government as precisely as could possibly be done what is the exact scope and significance of the new Indian title which is to be substituted for the present one in the Oriental languages. Further, I maintain that we ought to be told, what, however, we have not been told, that the title of King or Queen is not equally capable of being translated into the highest term known to the Oriental languages. The Chancellor of the Exchequer the other night gave some reasons and precedents for the adoption of the title of Empress, and he related an anecdote of Lord Palmerston, who some years ago insisted in some negotiations with the Persian Government that the term describing Her Majesty should be the highest title known in the Persian language. But the argument derived from that circumstance does not seem to me to go as far as the Chancellor of the Exchequer would imply. What was the view of Lord Palmerston? It was that the title of the Queen should be expressed by the highest title used in that country. He insisted that the Persian Government should render Her Majesty's title by the highest word known in their language. It remains still to be explained why the Queen retaining the ancient title of Queen of Great Britain and Ireland and of India, that title should not be translated into a fitting word of similar import by the Indian Government. And now I should like to say one word as to the colonial aspect of this question. I think nothing could have been better than the spirit of the remarks made with reference to the colonies by the right hon. Gentleman the First Lord of the Treasury upon the first introduction of this Bill. But unfortunately the facts of the case did not exactly bear out the arguments which the right hon. Gentleman based upon what he then stated. The right hon. Gentleman said—and I believe with perfect truth — that the colonists regard themselves not so much as Canadians or Australians, as Englishmen living in Canada or Australia; and he argued, therefore, that they would regard it rather as a slur than otherwise if, by the enumeration of the Colonial Dominions of the Queen, it was suggested that the Australians and Canadians were no longer British subjects. That, I think, would have been a good argument if the title of Her Majesty had been Queen of Great Britain or of England and Ireland. But by no stretch of language, by no stretch of imagination, can it be maintained that Canada and Australia are included in Great Britain and Ireland. And therefore it does seem —at first sight at all events—when, for the first time, one of the dominions of Her Majesty outside Great Britain and Ireland is to be included in the Royal Title, that our colonial fellow-subjects might feel some slur was put upon them by the omission of all reference to the equally important colonial possessions of Her Majesty. But the right hon. Gentleman on another occasion took up very different ground. On the second reading of the Bill, speaking of the colonies, and of the reasons why they were not to be included in the new title, the right hon. Gentleman said it was because the colonists are a fluctuating population, they come, they go, they have ample means of maintaining their connection with the British Crown in the persons of those gentlemen who, having made large fortunes in the colonies, take up their residence in London, and are presented and attend Her Majesty's Court. Well, Sir, that, I think, is not the way in which the colonies would desire to be regarded, or in which they do regard themselves. I do not think the colonies would wish to be represented entirely by those colonists who came over to England. I do not think the colonies desire to be regarded as composed of a fluctuating population, whose only desire is to make fortunes there, and then return home to England. In my view, the colonies ought to be regarded, and are regarded in this House, as great English-speaking communities, destined at no distant day to rival the greatness of England herself, and to spread over all the world the language, the civilization, the laws, and the customs of England. I do not think that the allegiance and affections of our colonial fellow-subjects will be conciliated when they are spoken of as a "fluctuating population," here to-day and gone to-morrow, and amply represented by those among them who are able to leave the colonies and come over to England. Well, Sir, it is for these reasons that this change of title is recommended—for political considerations which are to be scrupulously avoided in the debates in this House, and at the risk of alienating the goodwill of our fellow-subjects in the colonies. These are, as far as I know, the reasons alleged for the change in the style and title of Her Majesty. I know we may be told that this is not a change, but simply an addition. I do not want to quarrel about words; but I maintain that whether it be an addition or a change depends entirely upon the question of the amount of the addition; and I further maintain that an addition such as this which is proposed does amount to a change. It is perfectly true that an addition may be made to a noble structure which shall in no way change its character, but even make it more harmonious. But if you put to an old English castle a Grecian portico or an Italian façade, I venture to think that there will be a change. My noble Friend the Member for Haddingtonshire (Lord Elcho) has given Notice of an Amendment which he purposes to move in case of the rejection of that which I shall have the honour to move, and which is intended, I conclude, to meet some of the objections which are felt to the proposed title which Her Majesty is advised to assume. It appears to me that the Amendment of my noble Friend is in part unnecessary, and in part will fail of its object. I think it is unnecessary to tell Her Majesty to "cause precedence on all occasions to be given to the title of Queen over that of Empress." Our worst fears have not extended so far as to imagine that the title of Queen is to be placed as inferior after that of Empress. But when my noble Friend goes on to pray Her Majesty "to confine to Her Majesty's Indian possessions the assumption by members of the Royal Family of the title of Imperial, in addition to that of Royal Highness," it does appear to me that it will be a very poor compliment to our fellow-subjects in India, for whose especial benefit this change is proposed, to tell them that the title of Queen is on all occasions to have precedence over that of Empress, because, in the words of my noble Friend, it involves considerations of "just pride and jealousy" on the part of the people of England. But, even if I could agree that the object which the noble Lord seeks to attain by that Amendment was desirable, I cannot think that his Amendment meets all the circumstances of the case. It is unnecessary to take any such precaution as he proposes to take with regard to the use of this or any other title by Her Majesty. We all know that Her Majesty will use whatever powers may be conferred upon her and whatever titles she may be advised to assume with all consideration for the wishes of her people. But, Sir, I submit that this is a question that is not altogether within the powers even of Her Majesty. Let this title be assumed, and it is not within the powers of Her Majesty herself to limit precisely the conditions under which it may be used. We ought not to forget that this title is being granted, not for to-day or to-morrow, but for years to come; and it is impossible to say, when once the title has been assumed, what may be the future use that may be made of it. It is not possible to say whether at some future time this Imperial title will not, as has been pointed out by my right hon. Friend the Member for Greenwich, as it always, he thinks, has done, overshadow, and ultimately absorb, the ancient and Royal title of the Crown. There, again, Sir, the House has been left with very little—I think, insufficient—information from the Government. How far is it intended to carry this change? Instances innumerable will occur to every Member of this House. How are we in future to describe the estates of the Realm? "King, Lords, and Commons" we know; but are we to have King, Emperor, Lords, and Commons? How is the Proclamation of Her Majesty in Council to run? Is "the Queen's Most Excellent Majesty" to become "the Queen and Empress's Most Excellent Majesty?" Will Proclamations conclude with "God save the Queen!" or "God save the Queen and Empress?" Is the new title to be introduced into the Book of Common Prayer, and are we to pray for "Our Sovereign Lady the Queen and Empress?" These may appear small matters, but I think they are not trivial; and I hold that information on each and all of these is due to the House from the Government. All these things, whether intended or not, make up an amount of change—a great change, which I say is repugnant to the feelings and wishes of the people of this country. I shall not follow the right hon. Gentleman into any discussion as to the superiority or otherwise of the title of Empress. It is not because the title of Emperor is superior to that of King or because it is inferior to that of King that the change is contemplated with dislike in this country. The title of Emperor may be a good title for other nations; but the reason why it is disliked by the people of this country is that it is a title other than that of King. King or Queen has been good enough for the people of this country, and if good enough for us we believe it will be good enough for our descendants. As to India, in whose interest it is stated this change is to be made, it is for the Government to show —as they have not shown yet—how the interests of Her Majesty's subject in India will be influenced by the change. It has been by the subjects of our King or Queen that the rule of Her Majesty has been established in India. It is under the rule of the Queen that measures have lately been inaugurated for the promotion of the material prosperity and improvement of that country. It is the son of the Queen who has just been loyally received by Her Majesty's subjects in India; and it is for the Government to show—as they have not shown yet—that the stability of her Empire and the happiness of her subjects are at all involved in the assumption of a title more akin to that of Oriental Princes, whose government she has no desire to imitate and whose traditions she has no wish to revive. As for ourselves, we cannot forget—if the Government forget — that under our Kings and Queens this country has grown to be great and prosperous. We cannot forget that under the present reign the loyalty which the people of this country have always felt to their Sovereign has, I think I may say, grown to a passion. It is under the Queen as the head of the Constitutional system of Government that we have reached a happiness and a renown which we believe has no parallel in the world; and I trust the time will never come when the people of this country will call their Constitutional Sovereign by any other name than that which they have so long known and loved so well. The noble Marquess concluded by moving his Amendment.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "while willing to consider a measure enabling Her Majesty to make an addition to the Royal Style and Title, which shall include such Dominions of Her Majesty as to Her Majesty may seem meet, this House is of opinion that it is inexpedient to impair the ancient and Royal dignity of the Crown by the assumption of the style and title of Emperor,"—(*The Marquess of Hartington,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

The CHANCELLOR of the EXCHEQUER: I can very well understand, Sir, that the noble Lord, in taking the course he has felt it his duty to take to-night, must have experienced considerable reluctance in assuming a position painful to anyone, especially painful to one occupying a position like his own. I can understand that he must have felt that it was painful to place himself, even seemingly, in opposition to a measure which, if it is to have the grace it ought to have, should be passed unanimously. I can very well understand the reluctance with which the noble Lord has been obliged to state the reasons which have induced him to take a course which, I think we must infer from many of his observations, would have been against his own judgment—against the judgment which when this measure was first presented to him he was disposed to form—against the judgment, as he confesses, which was formed of it by those who sit in this Assembly, and by those who take a leading part in the formation of public opinion, but whose judgment has been overborne, as he himself described, by what he called an outbreak of spontaneous reluctance on the part of the people, or rather, as I suspect we must call it, by the somewhat less dignified name of a panic. I do not know that there is anything unprecedented in an unreasoning panic. These things we have seen in other matters; but I must say, of all extraordinary instances of panic none has ever appeared to me so unfounded and absurd as the present. If you were to go into those classes of society to which, I suppose, the noble Lord refers, it would seem, from the language reported to be used, that fears were entertained that an attack was to be made on our liberties, and that the Constitution of the country was in danger. A Notice is put on the Notice Paper of this House pointing to the despotic title of Empress as inconsistent with the free Constitution of this country—fears are entertained and anxieties are expressed which the noble Lord must have blushed as he gave vent to them. He said there were fears lest the style of "King, Lords, and Commons" should be changed—there were fears that the form of our Prayer Book should be altered—there were fears lest the name of the Queen, so dear as it has been to the country for so many centuries, and dearer than ever during the last 40 years, should be impaired by the adoption of the title now proposed. Can anything be more absurd? Is it possible that the noble Lord was serious when he made that remark? Is it possible he can suppose that any Ministry could contemplate, or dare to contemplate, the passing of any measure having such an effect? What is the fact? Is it proposed that Her Majesty, in respect of a certain part of her Dominions, and for good and sufficient reasons, which I shall presently state, should have added to her titles one of a local character which will in no way impair the honour of the title she bears, and Her Majesty will be no less the "Queen of the United Kingdom of Great Britain and Ireland" after adding to that title "Empress of India" than the Prince of Wales is less the Prince of Wales because he adds to that title the Duke of Cornwall? It is difficult to argue against panic and prejudice; but I would entreat the House to consider for a moment how really senseless—if I may use the expression—is the cry that has been raised. But I am told we are not only debarred from taking this step by the reluctance that has been expressed, but also by certain good and sufficient reasons that have been given. The reasons which have been adduced to fortify the position assumed by hon. Gentlemen opposite are unreasonable and are self-condemnatory; but it is because such reasons have been adduced, and seriously re-stated to us to-night by the noble Lord, I think it is important the House should consider what are the consequences to which they will lead. However much we may desire to call in the aid of Gentlemen on both sides of the House, and to have a unanimous vote on this occasion, still, if we are debarred from that aid, if we are to be resisted on Party grounds, or on any other grounds, in the prosecution of a measure which we believe to be in itself right and proper, and possessing in various ways political importance—and especially if we are to be hindered in proceeding with that measure upon grounds which, if they can be sustained, are of the most serious character, we must make up our minds to fight, to argue the question seriously and earnestly, and to consider what are those grounds which are brought in aid by Gentlemen who, I think, are rather at a loss for arguments. There have been several speeches made by right hon. Gentlemen on the bench opposite at different stages of this discussion—speeches that were intended to convey arguments against the adoption of this title; and if it should unfortunately be the opinion of Parliament that the Royal Titles Bill should not be proceeded with, and if it were to be defeated upon the ground which was held in these arguments, I venture to say a most serious blow would be struck at principles which are dear to England and at interests which are vital to England by the acceptance of such principles as those which emanated from that Bench. I refer, not to what has fallen from the noble Lord to-night—though to some extent he has given his sanction to arguments used by Gentlemen near him—but I refer especially to speeches we have heard at different stages of these debates, one of them made by the right hon. Member for the University of London (Mr. Lowe). Are we to abstain from adding to the titles of the Queen a title that will connect her with India lest, forsooth, a time should come when India may be torn from us? If after having made this proposal we draw back—if, after having proposed that our Sovereign should add to the proud list of her titles one that connects her with that great Empire in the East, we draw back and say it is impossible to proceed with the measure because we may some day lose India—what will be thought, I do not say of our power, but of our determination to retain it? For it is the determination of England to maintain the connection which subsists between this country and India. I do not say there are not Gentlemen and right hon. Gentlemen opposite who will not repudiate that doctrine; but this I will venture to say—if this measure is defeated and if this title is rejected, that will go forth as one of the reasons. [Mr. LOWE: No, no!] Was the right hon. Gentleman really throwing away his efforts? What did he make that speech for? Did it mean anything? I venture to think there was more truth in the general impression which prevailed after this speech had been made, that the right hon. Gentleman had some such meaning in his mind, than in the ironical cheers with which my reference to it is now greeted. I must refer to another far more dangerous speech delivered by the right hon. Member for Greenwich (Mr. Gladstone) and the peculiar argument which he adduced, and which the noble Lord following in his wake has again brought before us to-night—I mean the argument which he adduced that if you add this title of Empress of India to the titles of our Sovereign you will in some way change the relations between the Queen or the Sovereigns of England and the Princes of India, that you are in some way impairing their political position, and that you are, under the guise of a formal assumption of a title, effecting a serious political revolution. If that is the real meaning of, or if it is a fair inference from, the Bill which is now presented to the House, by all means let it be resisted. But let us be cautious; let us beware that in taking that ground we do not sacrifice the position which England really holds; let us beware we do not recede from the position England assumes and which she legitimately holds as the paramount Power in India. I will not trouble myself by following the noble Lord into what I may call quibbles as to the particular wording of the Preamble of the Bill. These are matters which are to be discussed in Committee. If there is any uncertainty, if there is any doubt as to the propriety of the wording, which I do not believe there is, I will leave it to be discussed in Committee, when we can deal with it satisfactorily. The ground which is taken by my right hon. Friend is this—If you say that the Queen is Empress of India, without some limitation to the territories of the East India Company, you are encroaching on the rights of Princes who are independent of you. That I understand to be the argument, and I say it is not only untrue in fact but most dangerous in tendency, and one most fatal for us to admit. What are these Native Princes? What are their rights? Let me quote what the right hon. Member for Greenwich said, for it is important we should have his words before us—

> "I am under the belief that to this moment there are important Princes and States in India over which we have never assumed dominion, whatever may have been our superiority of strength. We are now going by Act of Parliament to assume that dominion. . . . Does the right hon. Gentleman mean to assure us that the Princes of India, who hitherto have enjoyed political supremacy, desire to surrender it through the medium of this Bill?"

The Bill, if it passes into an Act, and the title, if Her Majesty assumes it, will not change by one iota the relations which subsist between the Princes of India and ourselves. Let me ask the right hon. Gentleman what Princes and States he refers to, and what he means by that word "dominion." In one sense it is true there are many States in India in which Princes are intrusted with the administration of their own affairs; they govern their own territories and exercise sovereign rights within them; and over those States and over those Princes we, in the stricter sense of the term, cannot be said to exercise, and never claimed to exercise, anything in the nature of dominion or sovereignty; and therefore, when the question is raised whether you may use the term "King" or "Queen" as appropriate for the Sovereign of this country in reference to those States, I would admit that it would be an inappropriate title; because it cannot be said that the Sovereign of this country exercises kingly authority in the States which are so governed by their Native Princes. But do these States occupy an independent position such as Belgium or Holland or Portugal may be said to hold? Are they in the same absolutely free and independent relation to us that any European State is? Nothing of the sort. There is no single State in India which does not acknowledge the British Government as the paramount Power. Let me mention one or two of the incidents of this power. There is no single Native State which has the right of declaring war or of making Treaties. [Mr. JOHN BRIGHT: Treaties with us?] With us? Oh, yes. If I wanted an illustration of the way in which every argument—every word used is twisted into something like an argument, I could not have a better than that interruption. It is really worth while, as I have touched on this point, and as the interruption reminds me of it, to refer to what I formerly said on the question of the Yarkand Treaty. I stated that two or three years ago Lord Northbrook, in sending an Envoy to Yarkand to conclude a Treaty with the ruler of that State, which is not in India, described Her Majesty as the Empress of Hindostan. I was interrupted by the hon. Member for Banbury (Mr. Samuelson) asking whether Yarkand was in British India, and I said—"Not at all;" but the inference I drew from the fact stated was this—that Lord Northbrook, the Viceroy of India, sending an Envoy upon an important mission, knew what he was about and had reasons for adopting this particular title, and when you come to look at the Treaty he concluded you see, I think, what one of those reasons was. Lord Northbrook, through Sir Douglas Forsyth, concluded a Treaty with the Ruler of Yarkand, and this is the 9th Article of that Treaty—

> "The rights and privileges enjoyed within the dominions of His Highness the Ameer by British subjects under the Treaty shall extend to the subjects of all Princes and States in India in alliance with Her Majesty the Queen; and if, with respect to any such Prince or State, any other provisions relating to this Treaty or to other matters should be considered desirable, they shall be negotiated through the British Government.

There is an illustration of the relations we hold with these various States. They are not absolutely independent. They cannot make war against foreigners or among themselves; they cannot make Treaties except with ourselves; they cannot regulate their succession except with our consent. Does that look like the great independence of which we hear? Why cannot they regulate their succession without our consent? Because we stand in the relation of the paramount Power towards them as what may be called, roughly, feudatory and subordinate States, and because we occupy towards them that position which is most accurately described—of all the titles that I am aware of—by that of Emperor. That was the title which we gave to those who occupied the paramount position in India long ago. That was the title held by the Rulers of Delhi, the Lords Paramount in former days. [Sir GEORGE CAMPBELL: No.] I do not mean to say that is the word in the Native language; but it is the word which, if you take up any Indian history of those times, you will find that in nine cases out of ten an Englishman used when he spoke of the Ruler and Emperor of Delhi.

SIR GEORGE CAMPBELL: For 100 years the British Government acknowledged the Rulers of Delhi by the title of the Great Mogul.

THE CHANCELLOR OF THE EXCHEQUER: I will not, Sir, pit my authority on Indian matters against that of my hon. Friend the Member for Kirkcaldy; but allow me, as an illustration of the use that is made, and authoritatively made, of that title, to read a short extract from a document the authority of which I think will not be denied by right hon. Gentlemen opposite. I will quote from the celebrated Adoption Despatch, written by Lord Canning when the right hon. Member for Greenwich was a Member of the Government, to all the Chiefs of India, and which is often held as the *Magna Charta* of those Chiefs. In paragraph 18, Lord Canning speaks of the Emperors of Delhi. Lord Canning is recommending to Her Majesty's Government that he should be authorized by the Government to issue a general Sunnud to the States of India, authorizing them to adopt according to their own customs; and he gives these reasons in his despatch to Her Majesty's Government—

> "A time so opportune for the step can never occur again. The last vestiges of the Royal House of Delhi, from which, for our own convenience, we had long been content to accept a vicarious authority, have been swept away. The last pretender for the representation of the Peishwah has disappeared. The Crown of England stands forth the unquestioned ruler and paramount Power in all India, and is, for the first time, brought face to face with its feudatories. There is a reality in the Suzerainty of the Sovereignty of England which has never existed before, and which is not only felt but eagerly acknowledged by the Chiefs."

That was the proposal made by Lord Canning to the Government of which the right hon. Member for Greenwich was a leading Member. [Mr. LOWE was understood to say that the words of the despatch were, "Royal House of Delhi."] Every term is caught up; the very epithet "royal" is caught up. That epithet we may discuss afterwards; but the proposition of the right hon. Member for

Greenwich is not directed against any particular term, such as "Royal," or "Imperial," but against the use of the term "India." That is, he says, the assumption of an authority we have no right to assume. [Mr. GLADSTONE: Quote the words.] I am sure I do not want to misrepresent the right hon. Gentleman's words. He made it an objection—if it is not an objection I do not know how to deal with it—he made it an objection to our taking this title that apparently we were going by Act of Parliament to assume a dominion which we do not now possess. I do not wish to weary the House by going through the restrictions which you put upon these Native States, or rather through the details of the relations in which they stand to the paramount Power, but I may mention one, for it is very important. I find that in these independent States we legislate for our own subjects within the territory of those States. We passed an Act in the year 1869 declaring that—

> "The Governor General of India shall have power, at meetings for the purpose of making laws and regulations, to make laws and regulations for all British subjects of Her Majesty within the Dominions of Princes and States in India in alliance with Her Majesty, whether in the service of the Government of India or otherwise."

That was a remarkable instance, and I could mention others. But let me ask the House to consider this. What happened after the Mutiny? What was the course which we pursued towards those Princes who were said to have been ruling their own States? We put some of them on their trial. On what charge? On the charge of disloyalty. Disloyalty to whom? Disloyalty, of course, in our view of the matter, to the paramount Power; but in the view of my right hon. Friend opposite, it was nothing of the sort. I am sorry to have detained the House by entering much into this point. But I have felt it necessary to do so—not that it is a matter that we would have desired to bring forward or to press on the House, but we are driven to it. Nothing could have been further from the intentions of Her Majesty's Government—nothing, I am sure, could be further from the heart or the feelings of Her Majesty — than taking any step which would even appear adverse to the rights of the Princes of India. On the contrary, this was intended as a gracious and purely complimentary act, which we never supposed would be made an occasion of strife and animosity. It is not our fault. We have not raised these points. They have been raised by others; and they are pressed—weak as they are, dangerous as they are—in order that the panic and the prejudice may not seem to be without some foundation. There is another argument pressed into the service by right hon. Gentlemen opposite to which I give almost as little weight; because I feel that it is not a sound argument; that it has no real foundation; that it has been an afterthought called in in aid. I mean the argument with regard to the colonies. The case of the colonies differs wholly from the case of India. The colonies are always with us, and all we have is theirs. There has been no change in their political relations to us such as there has been in the relations between England and India. What was the occasion for the alteration, if you like so to call it, but the addition as we call it, in the title of the Sovereign in regard to India? It was because a change was made in the relations between England and India, by which India has been brought into new and direct relations with the Sovereign of England. It was meet and right that there should be a corresponding addition made to the titles of the Sovereign to mark the change by which India was brought under her direct rule. But there has been no such change in respect to the colonies. The colonists are men who have gone out from among us—men of our own stock and kindred; and there is no relation between the proposal that Her Majesty should take a title directly marking her connection with our Indian Empire as the Sovereign Paramount of the whole of India and any proposal that may be made in regard to the colonies. But there are many who, not going the length of my right hon. Friend the Member for Greenwich, or arguing that we ought not to assume any Indian title at all, yet say—"By all means let Her Majesty take a title to mark her dominion in India, only do not let it be the title of Empress." Well, in the first place, what title is it to be? [Several hon. MEMBERS: Queen.] I have already shown that, for one reason, the title of Queen would not accurately represent the relations which our Sovereign bears to the States which are governed by their own Native Princes. It means at once too much and too little: too much, because it would seem to imply that she had some direct concern in the government of such a State as that of Indore or Gwalior; too little, because it would fail to convey to the Indian mind that which you wish to convey—that is to say, that Her Majesty occupies the position of paramount Power in India. Now, when you are dealing with the question as an Indian question, when you are proposing that Her Majesty should assume a title that will be appropriate to mark her position in India, I must ask the House to consider whether we should pay more attention to the evidence of England or to the evidence of India itself on this matter. [Sir WILLIAM HARCOURT: There is no evidence.] No evidence! I would like to ask—Is it not some evidence that the Governor General of India himself should have thought it necessary and proper, and right, to put into so solemn a document as that to which I have referred the title of Empress of Hindostan? I do not, however, rely only upon that. I venture to say that you would find, from many Indian newspapers and from Indian conversation, that the title "Empress" is one that for a long time past has been trembling upon the lips of the English-speaking portion of Her Majesty's subjects in India. We are told by one hon. Gentleman in his Amendment that, inasmuch as the title of Empress could not be accurately translated into any Native language, it does not signify what sort of title you give to Her Majesty, provided you translate it into a sufficiently dignified Indian or Mahomedan title. According to him, the title might be Grand Duchess or anything else, provided you translate it by a sufficiently dignified Native term. The noble Lord himself told us just now that, after all, this is a title we should have to translate, and that upon that translation everything depended. But does the noble Lord or do hon. Gentlemen suppose that the educated and leading people of India do not understand English as well as we do ourselves? Does he suppose that they do not know the shades of difference between one title and another, and that they do not understand why it is that we do not like the adoption of a title which they have marked out as being the proper one? But it is said they have not so marked it out. It happens that two or three addresses were presented to Her Majesty some years ago upon the happy recovery of the Prince of Wales from illness. I have addresses here from the ex-King of Oude, from the Rajah of Dholapore, and others. The title of Empress is used in them all. But I have also an address — one that deserves attention — from another Native Prince, whose distinguished position and high character have recently been prominently acknowledged—I mean the Maharajah of Jeypore, who was selected by the Governor General to sit upon that most important inquiry in the Baroda case, and who was selected because he was the representative of one of the most ancient and distinguished families in India. It is written in English; it is not a translation, it is the original address. It was sent in the year 1872, and it begins in this way — "To Her most Gracious Majesty Victoria, Queen of the United Kingdom of Great Britain and Ireland and of the British Colonies, Empress of Hindostan." I will not attempt to weary the House by going further into this question. I think I have submitted some facts which ought to give us grounds for believing that this excitement, which I have called an unreasoning panic, has been, and will be, found to be destitute of any real foundation. I think that the arguments that have been brought forward against the course that has been proposed are not only unsound and baseless, but are also most dangerous to be put forward, and would, if acted upon, be fatal to the best interests of India. Those who gave advice to Her most Gracious Majesty had under their consideration the fact that the original transfer of India to the direct government of the Crown was still incomplete for want of the adoption of a suitable title. They thought that the auspicious occasion of the visit of the Prince of Wales to India, which has called forth most hearty and ardent expressions of loyalty and devotion from the Princes of India, was an occasion on which they should advise Her Majesty to adopt a suitable title with reference to India. They thought that they might at least trust to the personal confidence which the people of India would feel in the character of Her Majesty, whom they had known and loved so long, that they, at all events, would not misunderstand the meaning of the step that was to be taken. I do not believe they have misunderstood it. I believe the people of India will feel that this is a compliment paid to them; and that it will rejoice the hearts of a great number of them; that it will carry satisfaction to the minds of all those who know what British rule has done and still does for them; and that they will indeed be disappointed if, through prejudice here, however created, they shall be deprived of the honour and advantage which they may anticipate from the step which we have advised Her Majesty to take.

Sir WILLIAM HARCOURT said, the Chancellor of the Exchequer had stated, and he profoundly agreed with him, that this was a measure of such a character that it ought, if possible, to have been passed unanimously; but how was it that, in the same breath, he told the House that the measure which the Government had introduced had created throughout the country an unreasoning panic? ["Oh!"] Well, but had he not said so? [The Chancellor of the Exchequer: No.] Who was it, then, that was the subject of this unreasoning panic? You could not have unanimity if persons were panic-stricken. The right hon. Gentleman had not mentioned how many were subject to unreasonable panic; at all events, a considerable portion of the people, and, as far as he (Sir William Harcourt) could judge, the greater portion of the Press of this country were subject to what the right hon. Gentleman called unreasonable panic. There was another thing they had to take care of, something much more serious than an unreasoning panic in England, and that was one in India. He did not know that the right hon. Gentleman improved the matter by his Scriptural allusions. The right hon. Gentleman said the colonies stood in a different position from India. He said they might say, or we might say to them—"Thou art always with us." What did he mean by that? It appeared to him (Sir William Harcourt) that the right hon. Gentleman was representing India as the prodigal and the colonies as the faithful sons. What did he mean by saying that the colonies stood in a totally different position from India? Whatever else the right hon. Gentleman had shown, he had certainly demonstrated this—that the Bill involved considerations of profound Indian policy. The right hon. Gentleman had not attended to the warning which the Prime Minister gave the House the other day, not to discuss Indian policy in connection with this measure; for he had gone into the matter at great length. He (Sir William Harcourt) believed one of the most important aspects of this measure was its Indian policy. It was that policy which was its whole justification, for it had no justification in English policy. The right hon. Gentleman the Prime Minister said truly that these were very dangerous questions, and it was for that reason he (Sir William Harcourt) deplored they had been raised by this Bill. But these questions must be raised when the Government told the House the Bill was necessary for their policy in India, and the Government must answer the question—"What is that policy?" The responsibility with reference to the raising of these questions rested with those who had forced this Bill upon an unwilling people. He would not shrink from meeting the right hon. Gentleman upon the question of Indian policy. If the Government had told the House that this was an Indian policy which was approved by the natural advisers of the country and the Crown—by the Governor General in Council and the Council of India in England—it would have been accepted; but the Prime Minister said the questions of policy were so dangerous that the House must not discuss them, and the Government could not lay any information before the House on so difficult a subject as this. And then came the Chancellor of the Exchequer, who did give them some evidence—and what was it? He talked of newspapers and conversations in India, of the name of "Empress" trembling on the lips of the people, and of some old addresses from the ex-King of Oude and the Rajah of Jeypore; but he gave them no evidence that that proposal was desired by the people or approved by the men of experience who compose the Indian Council. The policy of the Bill was to proclaim, in a more definite manner than it ever had been proclaimed before, the supremacy of the Crown in India. In the Act of 1858 the word India was used in a restricted sense; but in this Bill it was used without restriction, and meant the whole peninsula. They must, therefore, consider the position of the Native Princes, who were included in the designation. They were not feudatories, they were not subjects—in one sense they were, and in another sense they were not, independent Powers. They did not occupy with regard to the English Sovereign the relative position that the Khedive of Egypt held with regard to the Sultan, because whereas we dealt with them by Treaty, the Sultan dealt with the Khedive by Firman. He fully concurred in the assertion that they were not altogether independent Powers like Switzerland and Denmark, and did not occupy the position of the independent German States Saxony and Bavaria. Neither could they be all placed exactly upon the same footing, because they differed not only in their various positions among themselves, but also in their relations with the English Government. On the whole, if he were to attempt to describe their position as regarded England in a single phrase, he should be inclined to call them "protected allies." In a paper which the Chancellor of the Exchequer read, Lord Canning referred to "our alliance with these Princes." He perfectly admitted that they were under our substantial control; but asserted that the policy of this country had always been to respect and preserve their nominal independence. Now, that question of nominal independence was the material question they had to deal with in connection with this Bill. The right hon. Gentleman the First Lord of the Treasury, in announcing the intended journey of the Prince of Wales to India last year, said that amongst these great populations there were at least 90 reigning Sovereigns—that was the phrase which the First Minister of the Crown had used in reference to those Indian Princes. The manner of treating these Native Princes of India was one of the most dangerous and difficult questions of Indian policy. He would read a description of what their situation actually was according to the high authority of the hon. Baronet the Member for Kirkcaldy (Sir George Campbell). The hon. Baronet in his valuable book, from which he had derived much information upon Indian matters, thus described the position of the Indian Princes—

> "Indeed, in all our transations with Native States, however we may exercise real power, we have never yet in form assumed the Imperial superiority of our predecessors. We still treat with small Native States as in name our equals, and make little distinction between great Princes, rebellious Governors, and petty Chiefs, as if all alike were absolute and unlimited Sovereigns. Even when forcing measures upon them we do it in the form of a Treaty between two great Governments, while many measures which should be forced upon them are not insisted upon, because we only violate their independence in political necessities. It would be much better formally to assume the feudal superiority of India. . . . . . It is only in this way that we can hope gradually to extinguish the Native States, which consume so large a portion of the revenues of the country," &c.

That he believed to be an accurate description of the existing position and treatment by us of the Native Princes of India, and that was a policy of a certain school of whom the hon. Baronet the Member for Kirkcaldy disapproved, thinking it would be better, as he said, formally to assume the feudal superiority of India. And that as he understood it, was the object of this Bill—to assume formally the superiority of India, because, as the hon. Baronet said—"It is only in this way that we can hope gradually to extinguish the Native States which consume so large a portion of the revenues of the country." [Mr. SMOLLETT: Hear, hear!] Doubtless the hon. Member supported the Bill on that ground. [Mr. SMOLLETT: I only cheered in derision.] Hon. Members on his (Sir William Harcourt's) side of the House were so accustomed to the derision of the hon. Member for Cambridge that they really did not know when he was actuated by another motive. The statement to which he had referred showed that in touching this subject we were dealing with very important questions. This formal assumption of the feudal superiority of India was a matter with which we had not hitherto attempted to deal, and he could not see the object of attempting to deal with it at the present time, unless we proposed by this Bill to inaugurate a new Indian policy. ["No!"] Well, then, if we did not intend to inaugurate a new Indian policy, why had the Bill been introduced? Although as the Chancellor of the Exchequer had truly said, these Princes were not substantially independent of us, we had hitherto respected their susceptibilities and had made Treaties—seven volumes of Treaties—with them, and had ceded territories to them "in full sovereignty;" and why should we now "formally assume the feudal supremacy over them?" In the Proclamation by the Queen to the Princes, Chiefs, and people of India in 1858, on the transfer of the Government of that country from the East India Company to the British Crown, the language used was as follows:—

> "We hereby announce to the Native Princes of India that all Treaties and Engagements made with them by or under the authority of the Honorable East India Company are by Us accepted, and will be scrupulously maintained; and We look for the like observance on their part."

That was not the language of a Sovereign towards her subjects, nor, indeed, even of a Lord Paramount towards his vassals. The document then proceeded thus—

> "We desire no extension of Our present territorial possessions; and while We will permit no aggression upon Our Dominions or Our Rights to be attempted with impunity, We shall sanction no encroachment on those of others. We shall respect the Rights, Dignity, and Honour of Native Princes as Our own; and We desire that they, as well as Our own Subjects, should enjoy that Prosperity and that social Advancement which can only be secured by internal Peace and good Government.
>
> "We hold Ourselves bound to the Natives of Our Indian Territories by the same obligations of Duty which bind Us to all Our other Subjects; and those Obligations, by the Blessing of Almighty God, We shall faithfully and conscientiously fulfil.
>
> "Firmly relying Ourselves on the truth of Christianity, and acknowledging with gratitude the solace of Religion, We disclaim alike the Right and the Desire to impose our Convictions on any of Our Subjects. We declare it to be Our Royal Will and Pleasure that none be in any wise favored, none molested or disquieted by reason of their Religious Faith or Observances; but that all shall alike enjoy the equal and impartial protection of the Law; and We do strictly charge and enjoin all those who may be in authority under Us, that they abstain from all interference with the Religious Belief or Worship of any of Our Subjects, on pain of Our highest Displeasure.
>
> "And it is Our further Will that, so far as may be, Our Subjects, of whatever Race or Creed, be freely and impartially admitted to Offices in Our Service, the Duties of which they may be qualified, by their education, ability and integrity, duly to discharge.
>
> "We know, and respect, the feelings of attachment with which the Natives of India regard the Lands inherited by them from their Ancestors; and We desire to protect them in all Rights connected therewith, subject to the equitable demands of the State; and We will that generally, in framing and administering the Law, due regard be paid to the ancient Rights, Usages, and Customs of India."

The nominal independence, therefore, of the Native Princes was respected in that Proclamation. It had been said that it was in contemplation at the time that document was issued to assert the feudal superiority of the Crown over the Indian Princes; then why had not that course been adopted? It was not adopted then because it was not thought prudent so soon after the Mutiny to offend the susceptibilities of the Native Princes. He contended that the Government ought to have shown the House that the Native Princes desired this change; but the Prime Minister, with the mystery which characterized the whole transaction, said it would not be safe for the Government to reveal to the House what the Viceroy of India or any of their correspondents had told them on this subject. It was possible the Government might raise an unreasoning panic in India, just as they said an unreasoning panic had been raised in England, and that would be a far more dangerous thing. Dealing with the new title of Empress which it was proposed that the Queen should adopt, he ventured to think that nothing could be more dangerous or more unfortunate than the choice of a title which would make Her Majesty appear in any way to represent the Empire of the Moguls. What were the associations connected with the Mogul Empire? The existing States of India were largely founded upon the overthrow of that Power, and had revolted from it in consequence of its religious persecutions and its tyranny. To go to the people of India and say the Queen was the representative of the Empire of Delhi was as much as going to the people of the Low Countries and telling them that their Sovereign was the representative of Philip of Spain. Nothing could be more unwise or unsound in policy than to endeavour to represent to the people of India, no matter under what form or name, that the Queen was the representative of a Monarchy or an Empire which they had rebelled against successfully, and which was the emblem of a creed which was extremely oppressive at times; it seemed to him to be the most unstatesmanlike policy that it was possible to conceive. He doubted very much whether it was wise to attempt to masquerade under Eastern titles and manners at all. He had read a remarkable chapter in a book by a man who knew India well—Sir James Mackintosh—who, speaking of this very question of the Empire of the Mogul, said—

> "Your strength in India is dependent mainly upon the distinctiveness of your Western civilization. The black coat of Europe has founded a much stronger and much more permanent dynasty than ever was established by the turban."

He (Sir William Harcourt) thought that they had far better keep to their own title rather than attempt to travesty the Empire of the Mogul. Sir James Mackintosh also once used the very remarkable phrase that "it was a very unsafe thing to have a Sultanized Governor General;" and in his (Sir William Harcourt's) opinion it was not a wise thing to endeavour even in India to Sultanize the Crown. Therefore, as far as the Indian part of this case went, he ventured to say it was not true. It seemed to him to be pregnant with all sorts of uncertainties and dangers. Why could not the Government leave well alone? The Queen had been and was powerful, honoured, and respected in India; and the Prince of Wales as her heir had been received with quite as great honour as if he had been the son of an Emperor. Why raise this question? But having raised it, why did the Government not come to the House of Commons and to the country and tell them that they had had adequate advice, and that they had consulted those who could have given confidence to the country that the policy they were pursuing in this matter was safe and prudent? The Government came forward and refused the House all information. They came with references to Indian newspapers and scraps from the ex-King of Oude. He regarded this Bill from this point of view as one of the most dangerous measures that had ever been produced. [*Laughter.*] Hon. Gentlemen opposite might laugh. He hoped that he might be mistaken; but, in his opinion, to let off these political fireworks in a powder magazine was not wise. Well, if the Indian ground upon which this Bill was founded was gone, what else was there to justify it? The Government did not bring the Bill in, he supposed, to please the English people. If they did, they had not succeeded. Whatever hon. Gentlemen on the other side might say, those sitting on the Treasury Bench, who were well informed, knew very well that the repugnance to this measure was growing every day, nor would it be stopped by the Chancellor of the Exchequer saying that it was an unreasonable panic and a foolish prejudice. It had been said that the Press had changed its opinion on this subject. Yes, but why? Because there had set in so strong and steady a current of public opinion against the Bill, and that was the reason of the change of opinion on the part of the Press. Why was it that this *parvenu* title had offended the pride of an ancient people? Why, but because they feared they might lose the name of Queen which they had so long honoured and revered, and that it might be ultimately absorbed in that of Empress. The right hon. Gentleman had said that it was not a change, it was only an addition. He (Sir William Harcourt) thought that his noble Friend (the Marquess of Hartington), with his architectural illustration, had very well disposed of that. If he might add to his noble Friend's admirable illustration another, he would say that if they were to build the Pavilion of Brighton on to the Abbey of Westminster, or to put up the Pagoda at Kew on the Chapel of Henry VII., or take those old and venerable and worm-eaten chairs, which had no "jewel except the shapeless stone of Scone," and trick them out in the guise of the Peacock Throne of Delhi, they would have made an addition, but they would also have made a change. They would have made a change that would not be agreeable to the sentiment and sympathies of the English people. The English people feared that this addition would cause a change. The right hon. Gentleman at the head of the Government had laboured to show that the title of Emperor was not a higher title than that of King. He looked out the word "Emperor" in *Johnson's Dictionary*, where, by the way, it was spelt with a "u"—he did not know whether the Government intended to spell it with a "u" or not—and he found that Dr. Johnson, who probably conveyed the popular idea of Emperor, said—"Emperour—a monarch of title and dignity superior to a King: as, the Emperour of Germany." And here he must take the liberty to differ from the right hon. Gentleman who said that the Emperor of the Holy Roman Empire was not superior in point of precedence to the Kings of France and Spain. He believed it was an indisputable proposition that the Emperor of the Holy Roman Empire was admitted by all Europe to take precedence. That was the reason why in all the Monarchies where the two titles existed, the title of Emperor had, sooner or later, absorbed the title of King. That was what was feared. The right hon. Gentleman at the head of the Government quoted Spenser to show this was not an un-English phrase; but it seemed to him that the right hon. Gentleman's quotation proved distinctly that it was, because if Spenser tried to introduce it 300 years ago and it had not obtained yet, it showed that it was an exotic that would not grow in English soil. No man had a higher respect than he had for the right hon. Gentleman's literary genius; but he hoped and thought he would not succeed in acclimatizing a word with which Spenser had failed. The right hon. Gentleman had attributed the use of that word in *The Faery Queene* to some suggestion by Raleigh; but he thought the right hon. Gentleman did that great gentleman an injustice, for there were some fine lines of Sir Walter Raleigh, addressed to the "Faery Queene," in which, if he had invented the word "Empress," he might have employed it himself. But that was not the way in which he spoke of Elizabeth in a fine Alexandrine line—

> "Behold her princely mind aright, and write thy
> Queen anew."

They did not know Elizabeth by the title of "Empress." From their boyish days they had spoken and thought of her as the great "Queen Bess," as they knew one of her successors by the name of the "good Queen Anne," and he hoped that it was by such names that the Sovereigns of England from generation to generation would be alone known to the English people. He believed that the English nation would rather see their Sovereign the first and most ancient Queen, than the last and the newest Empress. They might say, "What's in a name?" In these things there was everything in a name. Association and sympathy gathered round these ancient names, and it was these things which constituted a national spirit, and the continuity of national life. Patriotism and loyalty, sentiments the strongest and the best in their nature, were made up of these ancient associations. It was for these things that the "great men have been proud to live, and good men have dared to die." Did they think they would not alter the title of the Crown if they were to add the name of "Protector" or "President" to it? Did they think the case of "Emperor" differed in any respects from those names? Did they think that if they were to call that House a "Senate" or "Congress" they would not alter the associations connected with it? Was the Speech with which Parliament was opened to be no longer the "Queen's Speech," or was it to be "The Queen and the Empress's Speech?" ["No."] He was glad to hear the Chancellor of the Exchequer say "No." He would ask whether the appeals from India, which were to be heard by the Judicial Committee, would be appeals to "the Empress in Council?" Otherwise, how was her supremacy to be maintained? Those things were what the English people feared and what they disliked. The English people were of a noble and a simple temper, and they preferred the substance of ancient greatness to the glitter of modern names. And now he would venture to ask hon. Gentlemen opposite, was this a Conservative measure? They were all Conservatives on the question of the Throne, and, in his opinion, the Conservative policy on that matter was, that the Crown should be brought as little under discussion as possible. But whose fault was it that it was discussed? It was not theirs (the Opposition). [*Cries of* "What?"] Gentlemen opposite exclaimed "What!" Did they imagine that a Bill of this kind, which was said to raise such questions of Indian policy as the Chancellor of the Exchequer had raised, was to be brought into the House and not discussed? Did they think that a Bill which had raised the feeling which this Bill had raised throughout the country was not to be discussed? What did they think the country would think of them if they declined to discuss it? It was the business of the House of Commons to discuss, and it was the safety of the country that they should discuss the questions that agitated the public mind. He thought Conservative policy was not unnecessarily to agitate questions which affected the fundamental institutions of the country. Why had the Government agitated this question? The right hon. Gentleman talked of his noble Friend acting against his own judgment. Did the right hon. Gentleman think that all the persons who sat on his own side of the House approved of this measure? There were many who would vote with him that night who regretted as much as they on that (the Liberal) side of the House did that this Bill had been brought forward, and the right hon. Gentleman knew it perfectly well. He (Sir William Harcourt) had very often heard objections taken to what was called a sensational policy, he objected to a sensational policy; but there was a thing he objected to still more, and that was melodramatic legislation in matters which affected the Crown. The right hon. Gentleman at the head of the Government concluded his remarks the other night by saying that this was a measure which would "add to the splendour of Her Majesty's Throne and the security of her Empire." He believed that the right hon. Gentleman was profoundly mistaken. He believed that was not the opinion of the English people. They did not think so meanly of the splendour of that Throne that they should suppose that its ancient grandeur and its simple majesty could derive fresh lustre from outlandish gewgaw and tawdry decorations; and as to the security for her Empire, if it were not too deeply rooted in the traditions of the past and the confidence of the nation, he believed that Her Majesty's Government would have gone far to shake it by this inauspicious proceeding.

Mr. PERCY WYNDHAM said, he regretted that political Party feeling should have been lashed into fury on this question by hon. Gentlemen opposite. Many persons had expressed their surprise that this measure had been thought necessary, because they were under the impression that Her Majesty was already Empress of India, and that this was only a more formal declaration of the fact. The question, therefore, arose how this change came about. It occurred because there was a persistent refusal on the part of some in that House, and on the part of a large portion of the Press, and a great number of people in the country to look at the question from an Indian point of view. Until a few years ago India was ruled by a company of merchants, the directors of which were elected by the shareholders, and the change which transferred their rule to the Crown was admitted to be acceptable to the people of India. Many of the great Chieftains of India had the power of life and death in their own dominions. It was therefore very natural that Her Majesty and her advisers should think that she ought publicly to take some title which would show to the Native population that she was proud of that position, and which would give them a guarantee that she would fulfil the duties and the rights which it involved. Then came the question as to the title which would most adequately express the nature of her rule. In India all were agreed that it should be a title expressing the greatest and highest power which the wealth of the Indian language could afford. It must be a title showing that Her Majesty was at the head of a despotic Government and Suzerain over Chiefs who had the power of life and death in their dominions. When they looked for the translation of that word into English, it was found that there was only one word by which it could be rendered, and that was "Empress." The question then arose how that title affected the relations of Her Majesty with her people as the Constitutional Ruler of the United Kingdom of Great Britain and Ireland. The answer was that it left those relations entirely untouched, and no other answer could be given if this new title were regarded as it ought to be, exclusively from an Indian point of view. The House had been told that it ought to feel a sense of degradation that our government of India was despotic, and that we had not been able to give the people of India a constitutional government. Such a government was not, however, a sovereign specific for all nations, and it was opposed to the innate instincts, traditions, and sympathies of the people of India. The attempt to foist a constitutional government like that of England upon India would be, indeed, a silly and cruel experiment, which would never be attempted by that House. The Queen was at the head of the Constitution of this country, and therefore her title here was Queen; but in India she was at the head of a despotic Government, and therefore her title must be Empress.

SIR EDWARD COLEBROOKE said, he took part in the debate with considerable reluctance. If the information given to the House to-night by the Chancellor of the Exchequer had been given when the Bill was introduced, it would have removed many of his (Sir Edward Colebrooke's) objections; but when a high-flown appeal was made to the House by the hon. Member for Kirkcaldy (Sir George Campbell), he thought that was an occasion on which Her Majesty's Government might have given some disavowal of any claim so wild and extravagant as that mentioned by the hon. Member. When he (Sir Edward Colebrooke) had made an appeal to the Government on the subject the answer he received was, that the Princes of India earnestly desired that the Queen should assume an addition to her title; but it was never until to-day, when it had been forced upon the Government by repeated challenges from the Opposition side of the House, that the Government disavowed the extravagant claim of the hon. Member for Kirkcaldy, that Her Majesty should be declared by this Bill to assume the position and power of the Great Mogul. He held that the Queen of England's rights in India rested upon a greater and better foundation—on a better title, more honestly acquired, and better administered in every way than that of the Native Princes. Her authority was far more effective and far more widely extended, and her supremacy extended over every inch of that vast Empire. What more than that, then, was to be desired? The Government had up to that time laid no information or documents before the House which warranted the statement that it was the desire of the people and Princes of India that such a title should be taken by the Sovereign. It should be remembered that they had Treaties with the Native Princes of India, in all of which we recognized their sovereignty over their respective States; that they should be absolute Rulers in their respective States; and that British jurisdiction should never be enforced. It was stated of them that they wished to be reduced to tributaries of the British Crown; but until that matter was cleared up he, for one, must object to any new relations being created such as those implied by this Bill. Why introduce such a measure at all? No new legislation was required.

SIR GEORGE CAMPBELL: I entirely deny that. ["Order!"]

MR. SPEAKER: The hon. Gentleman will have an opportunity of addressing the House, and it is better, therefore, not to cause any interruption.

SIR EDWARD COLEBROOKE said, he must repeat that no new legislation was required. A great shock was occasioned to the British authority in India at the time of the Indian Mutiny, but that, at all events, did this good—it satisfied the people that they were not anxious to imitate the policy of the Moguls. This matter, he thought, should be fairly understood, and he submitted to the Government that the Bill was nothing more than a mere compliment, and appealed to them to insert words in it to make that quite clear. There was the question of sentiment and the question of policy, and he went to a considerable degree on the former. He regarded with uneasiness and alarm the new title that Her Majesty was to be invited to assume. But it was not merely a question of sentiment; there was reason involved in it, and he deprecated anything that would show that Her Majesty held her rights in any one portion of her dominions in a different way from what she held them in other places. He did not see why there should be a distinction in one place any more than in another. It was as Queen of England that she enjoyed her sovereignty over India, and he saw no reason why the simple English title of "Victoria, Queen" should not be adopted. It would soon become naturalized in India. In fact, a friend of his had seen a rupee circulated by the Rajah of Cutch on which the name of the Queen was rendered letter for letter. They might be content with simple emblems of authority and not indulge in hyperbole. He urged the Government to withdraw the Bill; and if there was no other reason against the withdrawal of the Bill than that alleged by the Chancellor of the Exchequer, the Bill ought to be withdrawn at once. To use the words of an Eastern poet, let them "withdraw the foot of contentment within the skirt of safety."

SIR WILLIAM FRASER: I heard with regret, Mr. Speaker, the term "unreasoning panic" used by the Chancellor of the Exchequer in relation to the Bill now before the House. My own belief is that, as regards the assumption by the Queen of the title of Empress of India, there is no panic, reasoning, or unreasoning, in this country. I believe that the great mass of the people, beyond a vague belief that it may please Her Majesty, have no feeling in the matter. Surely, if excitement, and agitation prevailed, numerous Petitions would be laid upon that Table. I should like to know how many persons have troubled themselves to petition. No one can have walked through the streets of this great metropolis for the last few years without observing a terse and vigorous appeal written on very many walls, the question asked has been "Who is Griffiths?" that question is now for ever answered. He is the Rev. Somebody Griffiths, who petitions from Derby against the Queen becoming Empress of India. I have obtained evidence in this matter from a person best qualified in my opinion to judge; I have received an intimation from a gentleman, formerly holding very high rank among the Princes of India, the son of the Ruler of a vast territory in the North-west, who tells me in the most emphatic language that the title of Empress, without any Indian or Mahomedan translation, will give great satisfaction to the Natives of that thickly populated Empire. No one word can possibly convey to the minds of Natives speaking 22 languages the idea of sovereign power such as the Queen possesses. But I would take, Sir, a larger and broader view of this question. Every one must have observed the vast annexations of territory by Russia in Central Asia, and in the half-civilized districts bordering upon our Indian possessions. To-day is announced the fact that Russia has absorbed Kokhand, and added that territory to the wide-stretching dominions of the Czar. In my opinion, the assumption of the title of Empress should have a most salutary effect on the nations bordering upon India, and also upon Russia in her apparently continuous onward march. By assuming the title of Empress and the direct sovereignty of India, the Queen tells those Powers that the British hold upon Hindostan is intended to endure. No part of that territory must be ceded; for it cannot be ceded without endangering the vitality of our own Empire. Had it not already been the hereditary device of an European Potentate, I would suggest as a motto for the Empire of India the words "Here I am; here I remain," "*J'y suis; J'y reste.*" The hon. and learned Gentleman the Member for Oxford City (Sir William Harcourt) has asked us whether we would substitute the ancient chair of state, containing the Runic stone brought from Scotland by Edward, for the bedizened Peacock throne of the Emperors of Delhi: his illustration seems to me to be one that can easily be reverted. Does the hon. and learned Gentleman suppose that the Queen at her coronation sits upon that chair as it now is, and may be seen in Westminster Abbey? No! the chair on that august occasion is covered with purple velvet, and so much gold as can be laid upon it; but the Stone of Rule is there! So will it be with the throne of the Empress of India. So long as you hold India by the strong hand; so long as you have there the weapons of civilization; above all, so long as you keep implicit faith with races that justly mistrust each other, so long will the reality of your power remain. No matter by what title you may call the Sovereign of India, you will find that you hold the power over that vast race, not only by your sabres and your rifles, but by the type of truth, the word of an Englishman.

MR. O'SHAUGHNESSY, speaking on behalf, at all events, of some Members of the Home Rule Party, with whom he had conversed on the subject, said, they felt constrained to support the Amendment of the noble Marquess below him; and if that Amendment should be agreed to, it would not preclude the passing of a Bill which would enable Her Majesty to assume a new title in connection with India; but his feeling was that the assumption of the title "Empress" would be at variance with the Constitution which had for centuries existed in this country. The origin of the title Emperor was well known. It was given by the Army, and the Emperors acted upon their own free will, and not as the Representatives of the people. The career of Empires, even where they had one or two Chambers to consult, was not a fair precedent for the Queen of England to follow. What was the Constitution of Austria, and what was the history of the Constitutional Imperial Government of France. There was formerly despotic rule in India. That was before England obtained power there. It was said that our rule there was absolute, and that was true; but it was the Government of the Queen, guided by the Lords and Commons. To liken such a Government to that of Russia or Austria before the recent reforms in those countries were granted would be a great mistake. The rule of England over India Parliament was responsible for. The Queen governed there with the assistance of the Lords and Commons, and therefore to give Her Majesty the title of Empress of India would be a mistake. If at any time India should be governed constitutionally and in accordance with the wishes of the people, expressed through their Representative Bodies, the adoption of this title would be at variance with such a future. Some doubts had been expressed whether we could hold India; but if our permanent rule in that country was to be kept up, it would not be by perpetuating absolute institutions, but by keeping before our eyes the hope that India would govern herself as this country governed herself. On one of the earliest evenings when this Bill was before the House his hon. Friend the Member for Dublin (Mr. M. Brooks) asked the right hon. Gentleman at the head of the Government whether the accession of Her Majesty to any new title with regard to India would be celebrated by a concession on a subject very dear to the people of Ireland. To that Question the right hon. Gentleman replied that the accession of title, on which the concession of grace was contingent, had not taken place, and that the time had not come for asking the Question. There had never been a statesman that had occupied the position now held by the present Prime Minister on the side of the House where the right hon. Gentleman sat less disposed to give an answer intended to be a bid for a vote than was the right hon. Gentleman himself. Before the Question was answered, he (Mr. O'Shaughnessy) had some doubts as to the propriety of the occasion for asking such a question; and he feared that the answer which might be made to it would place him and his Friends in an awkward position with regard to the construction which might be put upon their votes upon this Bill. Under the circumstances, he was glad that an opportunity had been presented by the noble Marquess which removed every difficulty, and left Irish Members to act upon their own convictions. If the Amendment should be accepted it would leave open to Her Majesty to adopt any title which she pleased, and therefore he should vote for it.

Mr. HERMON remarked that the Amendment of the noble Marquess had placed the House in a somewhat awkward position, as it embodied a proposition which no one on that side of the House could deny—namely, that it was inexpedient to impair the ancient and Royal dignity of the Crown. He was under the impression that that dignity would not be impaired. He was of opinion that as we had obtained India when the Crown bore the title of King and Queen, we might have gone on governing India under that nomenclature. No serious objection to the proposed title was taken when the Bill was down for a second reading, and therefore the title had been virtually accepted by the Opposition. The time had passed when the opposition to the measure should have taken place. If the opposition had been raised upon the second reading it would have had his sympathy; but now he must give his support to the Government. He sincerely hoped that there would not now be a division, but that the Bill would receive the unanimous sanction of the House. As the Bill enacted no title, it was yet possible that the Royal Proclamation might not set forth the title of Empress, even though the Prime Minister had indicated this as the title which would be assumed. Even, however, if the title of Empress were adopted, it would be a local title, confined to the Queen's dominions in India. The opinion of hon. Gentlemen opposite might have changed, and also the opinion of the London Press. But he did not think that the opinion of the London Press was the opinion of the country on this question. He represented a town (Preston) which was likely to have a strong feeling upon the question, if such a feeling existed anywhere; but he had received no communication against the title of Empress, while only one Petition had been presented to the House against the title, and that was signed by only one solitary individual. He could not therefore think that the opinion of the country was against going on with the Bill. Under these circumstances, and believing that the proper time for absolute opposition to the Bill had gone by, he should resist the Amendment.

Mr. LAING said, he was anxious, seeing that the question related to India, and that he had formerly had an official connection with the Government of that country, to make a few observations upon it. He hoped the day was far distant when Indian questions would ever become questions of Party in that House, and if he voted for the Amendment, he could assure the House that he would have voted for it much more cheerfully if it had come from the other side, so as to divest it even of the possibility of possessing a Party aspect. It seemed to him, amidst the choice of difficulties in which they were placed, that the Amendment opened the door to the only solution that could be satisfactory to both sides, and that was in the passage of the Bill to substitute the word "Queen" for the objectionable word "Empress." It might be a great misfortune if a Bill thus introduced were rejected altogether; and, on the other hand, it would be a misfortune if it were carried by a bare or reluctant majority against a strong feeling which, whether rightly or wrongly, did exist in the country in regard to the particular designation which it was proposed to apply to Her Majesty. Individually, he did not feel so strongly as many persons did against the title of Empress. He agreed with much of what had been said by the Chancellor of the Exchequer, and disagreed with much that had been said on the front Opposition bench. The visit of the Prince of Wales to India had elicited there a strong personal attachment and loyalty, which was as grateful to some persons as it probably was unexpected. It was therefore good policy to pay what, from his experience in India, would, he thought, be looked upon as a graceful compliment to the Princes and people of India, by showing that India was not a neglected dependency, but an honoured and respected portion of the British Empire. A compliment of this sort would, in his opinion, be agreeable to the people of India, who were peculiarly sensitive to the sentimental side of politics. At the same time, the best, and, indeed, the only, authority to which they ought to turn upon a question of this sort was the authority of the Viceroy of India, who was in personal contact with the Princes and Nobles affected by the measure. Whatever his (Mr. Laing's) own opinion might have been, he should never have dreamt of opposing it to the opinion of the Viceroy, taken upon the spot, upon such a question. Even if at this late hour the Government would produce an opinion from Lord Northbrook in favour of the proposed change, showing that it had been considered and recommended by him, it would go a long way in overcoming his (Mr. Laing's) scruples. He regretted that of late there had been a growing tendency to pass over the authority of the Governor General of India, and to substitute for it the authority of the Secretary of State and of the Council in London. As to the title of Empress, the Chancellor of the Exchequer had said to-night that the opposition to it proceeded from an unreasoning panic; but it was rather one of those instinctive feelings which could not, perhaps, be expressed in logical terms, but which were none the less real. Speeches alone could not have created such a feeling, for they had altogether failed to create it in reference to other matters, such as the purchase of the Suez Canal shares. The feeling of the country on this subject seemed to be founded rather upon an excess than a deficiency of loyalty and attachment to the Crown. We had got a notion that the title borne by Queen Elizabeth and Queen Victoria was so rooted in our affections that any attempt to enhance its dignity would rather detract from its lustre than add to it. The objection to the title of Empress was owing to the associations connected with it in recent times. Those who had borne the title—for instance, the Sovereigns of the Napoleonic dynasty—had occupied a large and conspicuous place in history, and it was hard to use the term without associating with it a flavour of those dynasties. Everything that was most repugnant to the feelings, as well as to the constitutional principles of Englishmen, was involved, to a certain extent, in the title of Emperor. They were told on good authority that there was very little difference between the title of Queen and that of Empress in India; and it was a pity if, for the sake of a slight shadow of distinction between the two, they were going to spoil the unanimity with which this measure would, undoubtedly, otherwise have been passed. With regard to the effect which the new title would have on the Princes of India, or the effect it might have on our relations with India, he must say he agreed with the Chancellor of the Exchequer, and he had heard with great regret that question of our direct position and relations with the Princes of India raised in the House. There could be nothing more mischievous than to define these things in Treaties, or to bring them up in discussions of this kind. Our relations with India were most delicate, and it must always be so from the nature of the position of the Native Princes. But we were the Supreme Power protecting those Princes from foreign aggression and from domestic rebellion. That position carried with it certain rights and responsibilities, and he held that the position of the Viceroy should not be interfered with in any way. He was strongly opposed to the policy of making that official a mere clerk, and he hoped he would never be interfered with in the settlement of the delicate matters that arose between the Government of India and the Native Princes. The relations between those Princes and the Viceroy at the present time were most satisfactory. The speech of the Chancellor of the Exchequer, however, seemed weak on the point why the title of Queen should not be adopted. We could not go by mere logic; but surely neither Scindia nor Holkar could feel offended if the Queen were to govern India by the same title as that by which she governed England. It was not too much to appeal to the Government and to the House of Commons to make some little concession in the matter of the new title, for the sake of securing unanimity. The title of Queen would be received with universal approbation he believed. It might be useless; but still he appealed to the Government and to the other side of the House to make the concession.

MR. BERESFORD HOPE desired to look at the question with the independence which a seat below the Gangway entitled him to claim. He had the Bill and the Resolution to choose between, and as to the latter he must remark that any Resolution bearing the name of the Leader of the Opposition for the time being had more than one side. One must not only read it from first to last, but must turn it over and look at the back. The present Leader of the Opposition—using most legitimately his rights — thought he had caught the Government tripping, and had put down this Resolution in the hope that it would have the effect of rallying around him wise Whigs, philosophic Radicals, and patriotic Home Rulers all in one Lobby. But a position like that of the Leader of the Opposition had its responsibilities as well as its duties, and he must not be angry with those who might ask him whether his Resolution meant only what it seemed to say by the laws of grammar and logic, or whether it pointed to a Party victory? He wished at the outset to declare that he regarded the question as by no means easy; while it was one which had emphatically an Indian and also an English side. He would begin with India. Sharing a great many of the objections to the word Empress, yet he could not but think that this Resolution, at the present stage of the Bill, whether the Bill were wise or unwise, was a most unwise thing. The hon. and learned Member for Oxford (Sir William Harcourt) had talked of throwing political squibs into a powder magazine. But what would more completely carry out that insane proceeding than at this stage to kill the Bill as the Resolution was really meant to do? What could be more disastrous than that it should go forth to the great Indian Chiefs, to Holkar and Scindia—who were, after all, more powerful in their own domains than the Duke of Argyll—that the British Parliament had rejected a measure brought in by the responsible Minister of the Crown for the purpose of paying them a compliment? He thought the Chancellor of the Exchequer had logically put the question on its true grounds. Queen represented one class of thoughts and Empress another, according to the old as contrasted with the modern order, and so the right hon. Gentleman gave reasons why the circumstances of India, so different from those over here, had led up to the recognition of the latter word. It was, as the Government now put it, a Bill to regularize an existing situation. In England the ancient title of the Sovereign was King or Queen, and he trusted that this country would never be governed except by a King or Queen and Lords and Commons; but the Government of India was not a Constitutional

Government such as ours, and he should be sorry if it were to become so in his life-time, for the people would certainly not be fit for it. They were, however, a people with whom externals stood in place of principles; and to their mental conformation increase of title in their Rulers was increase of dignity to themselves. Coming to England, he regretted to hear the Chancellor of the Exchequer describe the healthy wave of public opinion which had passed over the country as a panic. It was not a panic, but the spontaneous expression of the pride of the English people in the ancient title of their Sovereign; it was an outburst of the righteous jealousy of Englishmen, who desired that the Crown which had been worn by our Alfreds and Henries and Edwards should be for all time the Crown of Kings and Queens, and a declaration that no Emperor as Emperor should have a foothold in England. For his own part, caring for the nation above Party, he was very glad at this emphatic proclamation of the national, peculiar, perhaps, and insular, but deeply genuine and true sentiment of Englishmen that their Sovereign, whether King or Queen, was equal to any Emperor. On the other hand, it was much to be regretted that the matter had been raised, or rather debased, into a Party question by the advent of the Leader of the Opposition. His own conviction, after much thought, was that they could deal with the subject most judiciously by accepting the proposal as a Bill for localizing the title as one for Indian purposes. Certainly, from the Indian point of view, he thought that evidence had been adduced of the good policy of some such addition of title, which might not be sufficient for a Court of Law, but ought to be for a court of common sense such as the House of Commons. Did they think that the Governor General, a man of whom Members on the other side of the House had good reason to be proud, would have dared to speak of the Queen as Empress of Hindostan if he did not know what he was talking about? Did they think that the Maharajah of Jeypore, with his pedigree of fabulous antiquity, would use phrases inconsistent with the exceptional pride engendered by claims such as his? He was in one sense glad the question had been raised, because it had given the people of England an opportunity of declaring their affection for, and their adhesion to, the Kingly title. He had no fears of a formal misuse of the title; he did not anticipate "Royal and Imperial Highnesses;" but, on the other hand, he could not say that he thought all danger overpast, for there existed so much vulgarity of feeling stimulated by sensational writing, and so much helpless imbecility that believed in tawdry rhetoric, among certain classes, that a corrupt illegitimate tradition might yet grow up, as to which he would only say that he conceived that any attempt to talk of Queen-Empress or Empress-Queen would be the first step towards the abandonment of that national instinct of susceptibility with which so much of the greatness of England was associated. The talk indulged in from both sides about the Antonines, Nero, and other ancient Roman Emperors, good or bad, was wide of the present question, if not simply rubbish. The idea of an Emperor such as it had existed in Christian Western Europe took its full shape on Christmas Day, 800, when Charles the Great was crowned in St. Peter's. From him was derived that great line of the Emperors of the Holy Roman Empire—*Romanorum Imperator semper Augustus*—who were really less dynastic than Kings, for the Crown of the Empire was elective. His right hon. Friend the Member for Greenwich, in his speech the other night, talked of the Emperor of Germany here and the Emperor of Germany there. He should have known that there never was an Emperor of Germany, except in popular parlance. In time Emperor as well as electors became equally German, and the country he ruled was Germany; but his title to the last was Emperor of the Romans—an august conception, and one for which he (Mr. Beresford Hope) had, in its proper place, the highest respect. That Roman Empire—the one genuine Empire—only expired some 70 years ago. Since then there had been make-believe Emperors, who were neither better nor worse than Kings. For example, to take a perfectly inoffensive case, Brazil was a Province of Portugal, till 50 years ago a son of the then King of Portugal made himself Emperor of Brazil, and was recognized as such by the European Powers. He was sure no one would say of the Emperor of Brazil and the King of Portugal that either was one whit better than the other. So much for Emperors. What was the rationale of our native Kingship? A great step in the assertion of its Imperial character was made by Henry VII. when he changed the once regal Crown into the Imperial, or over-arching form. France made the same change; and as to the passage which his hon. and learned Friend the Member for Oxford quoted from Vattel as to the precedence which the King of France yielded to the Emperor, he must notice that it was not always so cheerfully accorded, as when Louis XIV. sent his troops to break into the Cathedral of Spires, to violate the tombs, and scatter the remains of the Roman Emperors, a brutality which Germany in 1870 showed that it had neither forgotten nor forgiven. Henry VIII's famous Act was the formal declaration of the Imperial character of the English Kingdom as a Kingdom, under a Sovereign who was King in name, but in pre-eminence equivalent to an Emperor, while Emperor still meant Roman Emperor. But as to the formal title of Emperor or Empress, the dedication by Spenser to Elizabeth of "The Faery Queen," which had been referred to, only proved that Spenser had tried it on and had failed. He had recently observed that what so eminent a poet had essayed in the case of Elizabeth, a very obscure poet also tried in the case of Cromwell, for a copy of Latin verses had been brought to light which congratulated the Protector on his escape from a bad accident, caused by his ambition to drive a drag in Hyde Park, under the title of Oliver, Emperor of the British Islands. Very probably, if the dynasty of Cromwell had unhappily succeeded in supplanting our old Royal line, it would have taken the title of Emperor, for the same reason that the line of Buonaparte grasped the same appellation in France—namely, as a style as grand as, but differing from, that of the historical line of sovereigns. The summing up of the teaching of the 16th and 17th centuries was that a conflict then was going on between the Sovereign and the people, which might retrospectively be treated as a mutual amicable competition, to raise and magnify the nation — Sovereign, and people alike—though each side worked in its own behalf, which resulted in that most admirable compromise which had lasted to this day—namely, that the Crown of Great Britain and Ireland should be an Imperial Crown, and that the monarchy should have Imperial attributes possessed in virtue of, and with, the Kingly title. This was the especial idea of which the nation was so jealous. This it was, and not a simple Kingship, which the English people so prized in their Sovereigns, and were determined should never be forfeited. He did not believe they cared so very much for the local style in India, or that the hon. Member for Glasgow (Mr. Anderson) spoke the general sentiment, when he manifested so great a repugnance to the name of Emperor in all cases and everywhere. Still, in view of possible difficulties, he confessed he should have been very glad if some other name than Empress had been chosen. Words in themselves were helpless things, and owed their value to the active human intellect which shaped their meaning. To the Oriental mind the word "Queen" was merely the agglomeration of so many letters, to which this or that signification might be attached. Surely the title "Queen" might be proclaimed, and a meaning created for it which should, in the Oriental languages, be represented and translated by the fullest accumulation of the highest titles of which they were capable. On the whole, as the whole matter had been turned into the occasion of a Party fight, he could not support the Motion of the noble Lord, although he confessed to considerable agreement with opinions which it rather vaguely embodied. He should therefore vote against it.

MR. GRANT DUFF said, he was extremely sorry that they should be discussing the question, for surely in this country, where the lines which divided political Parties were not very broad nor very deep, there were some means by which, if this Bill was to be introduced at all, an understanding could have been come to between the two great Parties with regard to it. It might have been brought under the notice of the House very much after the manner of a Vote of Thanks to distinguished officers of the Army and Navy. The Motion might have been proposed by the Prime Minister, seconded by the Leader of the Opposition, and carried unanimously. He did not very much object to it;

but he confessed it had not been made clear to his mind that there was any necessity for the Bill being introduced, or for there being any change in Her Majesty's style and title. It had not been made clear to him why the thing was necessary or desirable. The hon. Gentleman who had had just sat down (Mr. B. Hope) said it was desirable to regularize the situation in India, and to show exactly what the position of the Crown of England was in relation to the numerous Potentates of India. But it appeared to him that there were some situations in the world which were better for not being regularized, and this was one of them. One result of the attempt to regularize this situation had been that a great many speeches had been made, some of them by Friends with whom he usually acted—speeches which put forth very unsound doctrines with respect to these relations. Surely the present position of the Crown of England with reference to the Native Princes of India was a sufficiently advantageous one. He was sorry that the matter had been discussed at all; but as it had been discussed, and some remarks had been made on the Liberal side with regard to our relations with Native Princes, he thought it right to say a few words as to what these relations were as they appeared to him. When a European first had to consider the question of the relations of ourselves towards the people of India, his first idea was always to go to the maxims of International Law; but before he had gone far he found that International Law had nothing to do with the matter, because before the science of International Law applied they must have nations, and not one of the States in India was a nation. Those Princes were sometimes described as feudatories, and that was perhaps the most convenient way to describe them. It was a loose and popular way, however, for their relations to us were not strictly feudal relations. Just as little even the Native Princes mediatized Sovereigns. The truth was, the relation of the British Government to them was *sui generis*, and all analogies drawn from other sources utterly broke down. Those relations had been the result partly of regular Treaties, partly of charters which had been given to Native Princes, and partly of usage. It was impossible to explain without great detail how we had got our present position, but it was now admitted throughout India that we had the position of paramount power. There was not one Prince who would deny that the Queen of England was the paramount Lady in India. These Native Princes owed to us certain duties, and they had been well summed up under three heads—First, the duty of subordinate co-operation; secondly, the duty of isolation; and, thirdly, the duty of considering themselves as possessing a limited and not a full Sovereignty. Now, by subordinate co-operation he understood that these Native States were obliged to act together with the Viceroy and his Council in all matters which were necessary to the common weal. It was the bounden duty of those States to act with us in all matters concerning the whole of the Empire; and that was a duty which had not and never would be refused by any one of them. It was perfectly understood and admitted. In the next place, not one of those States was permitted to make a Treaty with any other of them without us, nor to make a Treaty or to enter into correspondence with any foreign Power beyond the limits of India. Thirdly, they had the obligation of considering that their Sovereignty was limited; they had to submit to all kinds of interference on our part which was totally incompatible with their independence or semi-independence. When, therefore, the Native States were considered by us to lie under all those different obligations which restricted their power so enormously, and reduced them, though not exactly to the position of subjects as understood in Europe, yet to a position of dependence under the British Crown, why was it necessary now to ask the House to stamp a position already so completely admitted by a particular word, the word "Empress," which was peculiarly disagreeable to British ears? Why not take "Sovereign Lady," or "Lady Paramount?" Why should the Government have gone out of their way to propose that the particular title taken should be one which, he confessed very much to his surprise, had excited so strong and so spontaneous an outburst of disapprobation in this country?

Mr. CHAPLIN said, he would have greatly preferred to have abstained from taking part in a debate which seemed to him ungracious in the extreme, and one that ought never to have arisen. In his judgment, that the debate had arisen was entirely owing, in the first instance at least, to the speeches of the right hon. Members for the University of London (Mr. Lowe) and for Greenwich (Mr. Gladstone); and after all that had been said and written on that question it was almost impossible for those who, like himself, entirely approved the course pursued throughout by the Government in regard to it, to remain altogether silent any longer. The question before them that evening presented itself in a somewhat different position from that which it held a few days ago. The right hon. Gentleman the Member for Greenwich said the other night that the title of Empress of India would convey an idea contrary to fact, on the ground that there were several districts of that country over which we had no right to adopt any such title, so that the question was whether any addition should be made to the title of the Queen over our Indian Empire; and, if so, what form the addition should take. According to the Motion of the noble Marquess, it might be supposed the first of these alternatives was no longer insisted on, for the first section of the Motion of the noble Marquess expressed willingness to consider the question of making an addition to the Royal style and title. He (Mr. Chaplin) was exceedingly glad that this was the case; because, though the first of the questions to which he had referred might appear to involve considerations of difficulty and perhaps danger, yet, if they were all agreed upon the propriety of making some addition to the Royal title, the question as to what the mere word should be was, comparatively speaking, of very small moment. He said comparatively speaking, because he agreed with the right hon. Gentleman (Mr. Gladstone) that there was nothing small or unimportant which touched on the honour or dignity of the Crown. What was the position, then, in which the House was placed? After having gone as far as they had done in the direction in which they had travelled, nothing could be more fatally injurious to the reputation of the British House of Commons, either in the eyes of the people of this country, in the face of Europe, or in the minds of the millions of Her Majesty's subjects in India, than if they were now to hold their hands and withdraw from the policy they had adopted. For that reason alone, if for no other, he regretted, more than he could express, that the noble Lord had thought right to place this Motion on the Paper. This Motion contained an affirmation and an assumption. It affirmed that it would be inexpedient to impair the ancient and Royal dignity of the Crown, in which they all concurred; and then it went on to assume that the addition of the Imperial title must have that effect. The noble Lord ought to have confined his Amendment to its last clause—namely, that the addition to Her Majesty's titles of Empress was calculated to "impair the ancient and Royal dignity of the Crown." That was its real point, and the only point in dispute between the two sides of the House. Various arguments had been adduced in support of the Government measure, all more or less worthy of attention, and not one valid reason against it was expressed by the noble Lord in proposing his Amendment. It had, indeed, been affirmed over and over again that there were sentimental objections to the title "Empress" as against "Queen;" as if every Emperor or Empress who had ever lived had been bad, and every King or Queen universally good. It had been objected that the proposed title implied despotism; that it was Brummagem; that it was novel and new; that it met with small favour, if not positive disfavour; and that the people viewed it with a repugnance almost amounting to dismay. When they came to be examined, those assertions would be found to have very little in them. He did not pretend to be able to decide so nice a point as to what there was in the title of Emperor more despotic than in that of King. He did not know whether the Emperor of Germany was a despot or not; but some Kings in this country had been despots—Henry VIII., for example, whom Gentlemen opposite would admit was once a King in this country. The title of Emperor was at least 2,000 years old; and therefore Brummagem, or new, or novel, were words out of place in describing it. When the noble Lord said that the title was exceedingly unpopular, he wanted to know what proofs there were of such a state of feeling. Where did the noble Lord find the unanimous expression of feeling he had been talking of? Was it the verdict of the

House of Commons or the unanimous support of his own Party? If so, he was grievously mistaken. The noble Lord spoke of the voice of the people; but when, where, and how had that voice been heard? Was it to the right hon. Gentleman the Member for the University of London and the right hon. Gentleman the Member for Greenwich, who, he was sorry, were not in their places, that the noble Lord looked for his instructions about the opinion of the people of England? If he did, he could learn little indeed from them on that subject. The House had had some experience of their knowledge of public opinion. It was only a short time since the right hon. Gentleman (Mr. Gladstone) so accurately gauged the feeling of the people of this country that, with a majority of more than 100 at his back, he dismissed them to improve his position in that House and in the country, with what results hon. Gentlemen on the other side of the House had an excellent opportunity of estimating. And who had shared in his opposition to this measure? The only one other man in this country who, in addition to himself, was still unable to comprehend why it was that the people of Great Britain hailed with acclamation the purchase which was recently made by Her Majesty's Government in Egypt; and why was there acclamation? Because the people felt that an Imperial Power like this country had great Imperial duties to discharge, and that the Government acted in accordance with that opinion when they made that purchase. The right hon. Gentleman the Member for the University of London by his match tax, and a thousand other amenities which he had bestowed on the country, had exhibited his perfect and exquisite appreciation of the feeling of this country. And those two right hon. Gentlemen took upon themselves to instruct the House of Commons and the noble Lord as to the feelings of the people of this country. Was it in the Liberal portion of the Press of this country that the noble Lord found that the people of this country were unanimously opposed to this Bill? That he (Mr. Chaplin) thought was a broken reed to lean upon. How did it happen that the Liberal portion of the Press on one day described this measure in terms almost of fulsome adulation, and on the next said it was nothing but a blunder and a miserable mistake? Perhaps they were led away by the speech of the right hon. Gentleman. Even he (Mr. Chaplin) was almost convinced by the glamour of his eloquence, though he knew the whole time it was a delusion. Who could suppose for a moment that the political status of the Princes of India could be injured by this title, and yet that was one of the right hon. Gentleman's arguments? Then he objected that the name of India should be placed on the title, on the ground that we had no right to use it, because the whole of India was not subject to us; and yet he (Mr. Chaplin) ventured to remind the House that one of the titles of the Governor General, as representing Her Majesty, was the Viceroy of India. When he remembered the total absence of anything like dissent on the part of the noble Lord himself, or the right hon. Gentleman the Member for Greenwich, or any Member of the Liberal Party who spoke on the first night on which the announcement of this measure was made to the House; when he remembered the remarkable change of opinion which had occurred on the part of the Liberal portion of the Press, he was reluctantly driven to the conclusion that the opposition the Government now had to encounter was neither more nor less than a deliberate and calculated Party movement. And if this graceful act of Royal courtesy was to be met by a wanton ebullition of Party opposition on the other side of the House, they on the Conservative side of the House knew how to do their duty. They had, in fact, only one duty to perform; and he trusted from the bottom of his heart that the independent and loyal Members of the House would to a man rally round the Ministry, with a determination to resist to the uttermost this most uncalled-for, ill-timed, and most unreasonable opposition to the legitimate, judicious, and reasonable proposal made by Her Majesty's Ministers.

Mr. ROEBUCK: Sir, the question is one which interests a large portion of the subjects of the Crown, and it is one which ought to be very carefully dealt with. I have heard on this occasion speeches such as I never heard before, more mischievous than any I have ever heard since I first became a Member of this House, and that, too, for what purpose? Let us inquire what is the exact situation of affairs. It appears that India, having been subjected to a great Mutiny, has really been conquered by England; peace has been made, and from that time to this there has been growing up a good feeling between the people of England and the people of India. At this time the Heir Apparent—very wisely, I think—suggested that he should make a tour throughout our Indian dominions. I take it that the Prince of Wales in going to India represented England, and that everything that was done and said to him in India may be considered to be done and spoken to England. Under these circumstances, Her Majesty's Ministers agreed—and wisely, I think—that a great opportunity offered for the people of England to express kindness and good feeling towards the people of India, and they sought how they could do it, and they determined they could do it best by the alteration or addition to the style of Her Majesty, believing that the people of England, through the Crown, took a deep interest in the welfare of that country, and wanted to make the Crown itself a mark by which that good feeling should be manifested. Under these circumstances, Her Majesty's Ministers came down and asked this House to give Her Majesty power to add to Her title. Thereupon there was immediately —and I think very naturally—the question put to the right hon. Gentleman at the head of the Administration — "What style are you about to advise Her Majesty to adopt?" That was a very natural and very wise question to be put, and I think it was somewhat unwisely on the part of the Prime Minister—unless he was unprepared to answer it—left unanswered, and the Prime Minister surrounded the subject with a degree of mystery that was uncalled for and was unnecessary; at all events, he did not then give an answer to the inquiry. But on the next opportunity, when the Bill came on for its second reading, the right hon. Gentleman fully explained what was the addition to the style which he should advise Her Majesty to adopt. Now, then, come in the questions which the House has to ask itself—first, is it wise to make any alteration at all in the style; and, secondly, is it wise to make the particular alteration in the style which we now learn the First Minister intends to advise Her Majesty to make? I do not think that the people of this country, whatever may be said about the "spontaneous outburst of feeling" throughout the country against this Bill, will say that it is unwise to make any alteration in the style and title of the Queen, more especially when such alteration is intended to be a mark of consideration and kindness and of generosity towards the people of India. Therefore, I think we may dismiss at once—and this is an important point—all doubt as to the wisdom and policy of making any alteration at all in the style of Her Majesty. We all therefore allow that some alteration in that style may be made with perfect wisdom. Now, then, comes the question whether the alteration in the style proposed by the Ministry is a wise one. The only objection made to their proposal is to one word—that is to the use of the word "Empress" instead of that of "Queen." If I were to say what I myself feel on this question, I should say that I like the word "Queen" better than the word "Empress." But then I have to consider not what I should prefer, but what is the exact position that England holds upon the present occasion. We have heard many learned disquisitions upon the meaning of the word "Emperor" since this question was raised, we have been told to look at its origin from Imperator, and we have been told what was possibly the true meaning of that word, but for my own part I believe that the word "Emperor" in our common acceptation of its meaning has more to do with Empire than with Imperator —more to do with Imperial than Imperator. The general feeling of English-speaking people with regard to the word "Empire" is that of a State which has some dominions subject to it, and it was in that way that it was used by the English Parliament when they said "that England was an Empire and that the English Crown was an Imperial one." When that language was used we had dominions which we considered conquered, and among them was Ireland; and the King of England thought his Crown entitled to be called an Imperial Crown because it had subject dominions. That is exactly the position which the Queen of England holds in India; and, therefore, if we can localize the phrase "Emperor" or "Empress," and keep it applied strictly to India without allowing it to be reflected back upon England, we shall by the use of that word accurately describe the position of the Queen of England in India. She is there an Empress. She is there exactly what the word means. I am not an Indian or Persian scholar, and I do not know how to translate the word into those languages; but in English, at all events, the word "Empress" more distinctly marks the position of Her Majesty in that country than that of "Queen." Therefore it is that I give up my preference for the word "Queen," although I have the Anglo-Saxon affection for it. When the Ministry say that the addition of the word "Empress" to the Royal style will please the people of India, I do not suppose that they are saying so without believing such to be the case, and I do not think that they would entertain such a belief without having good evidence in support of it. Therefore, I say that the fair style and title of Queen of England and Empress of India will entail no danger, and will merely express the actual position of our Sovereign in the latter country. But then we are assailed by terrible descriptions of the danger which the adoption of this addition to the style is to entail upon our rule in India; and then comes in the speech of the right hon. Member for Greenwich, which went as far as a speech could go to make our Empire in India tremble. That speech was calculated to give rise to erroneous ideas in the minds of the Princes of India—ideas which we do not wish those Princes should entertain, and which no patriotic Englishman would wish that they should entertain. But with regard to the right hon. Gentleman, Sir, I should like to employ a line which was employed in reference to a greater man than he—a man who

> "Though born for the universe, narrowed his mind,
> And to party gave up what was meant for mankind."

On that occasion he seemed to forget, in the wild tumult of Party feeling, that he had once occupied a high position in this country, and that he had ruled her great destinies, and had been for many years the guide of her Sovereign and of her people. To him the people turned as to one of those great lights by which they are guided and governed in their political life, and when we hear a man of that sort, who has occupied that great and dignified position, express in such a hasty, careless, and unwise manner opinions which, I am sure, when he got home and read them the next morning he must have regretted uttering, we must all alike feel hurt. I speak as I feel; I speak as I have a right to speak; and fearing no man and expecting nothing, I state what I believe, and that is my belief. I am now unable to say more; but I will add this—that upon this occasion, if ever there was one, it behoves this House to understand and appreciate its position. The great Empire of England is now in the balance, and our present acts may greatly influence the future destinies of this great country. If we indulge in wild and terrible talk it will create feelings of hatred to our rule. If we teach the people of India that we are unjust, that we are cruel and despotic, we shall go far to shake this great Empire; and the world will hereafter have to say that the House of Commons in this year 1876 would not do its duty to that great country which made it its representative.

Lord ELCHO said, he had listened with the greatest pleasure to the speech which had just concluded. He confessed that after all he had heard and read on the subject of this Bill, he had found with amazement that it was to be made a great Party question. They had all heard how from a cloud not bigger than a man's hand great storms had arisen; but here they had a great political storm roaring and moaning along the benches of the Opposition, when only a few days ago the sky had been perfectly cloudless and unobscured. There was, however, about the storm something that suggested to the mind the scene of the witches in *Macbeth*. and its thunder smelt strongly of the theatre. The measure had at first been received by a chorus of approval by even the Liberal Press, *The Times*, the leader of public opinion, characterizing the measure as a happy thought on the part of the Prime Minister, and as being singularly appropriate at the present moment. *The Times* spoke of the proposal as being singularly appropriate, and *The Daily Telegraph*, *Daily News*, and other organs of public opinion followed in the same direction. Now, however, they were told that there was a spontaneous growth of public opinion in the other direction. There was doubt as to how public opinion grew upon many matters; but if asked how and where the spontaneous growth of opinion on this matter had its rise, he should say that it originated in a forcing house situate in St. James's Street, and that, although by many persons supposed to be cryptogamic, it was, in fact, generated in the Devonshire—he had almost said the Cavendish—Club. Let them gauge the "spontaneous" outburst of public opinion. Where did they see it except in speeches? How many Petitions had been presented? One Petition had been presented against the Bill that evening, and it had solved an important historical question. Some years ago the walls and hoardings of London were placarded over with "Who's Griffiths?" There was much speculation on the point. It had been solved this evening by the hon. Member for Derby (Mr. Bass) presenting a Petition which he said was from Mr. Griffiths, who was a clergyman at Derby—whether with Ritualistic, Low, High, or Broad Church, he neither knew nor cared. [Mr. Goldsmid: He is a Nonconformist minister.] Then that explained it. He naturally dissented from the powers that be, and it was this Mr. Griffiths who represented the great spontaneous public feeling and opinion of the people of this country. In discussing this question he might assume that the Opposition did not object to the assumption of some title by Her Majesty, although his noble Friend had said that the Bill was so against the feeling of the people, that they must stop it. To stop the Bill in the present state of things was more than the House could do. The Queen in her gracious Speech had announced that she was going to take a new title, and Her Majesty's Ministers had introduced the Bill to give effect to the paragraph in the Speech, which at the time met with general approval. It would not be reasonable—he had almost gone the length of saying he did not think it would be decent—on the part of the House of Commons, after receiving Her Majesty's Speech, to make her stultify herself by the rejection of this Bill altogether. The Bill had been opposed by the right hon. Gentleman the Member for the University of London (Mr. Lowe), whose arguments, which did not take either with the House or the country, were described by *The Times* as being partly frivolous and partly perverse. The proposal was also opposed by the right hon. Gentleman the Member for Greenwich, who so framed his opposition that the question came to be one not so much as to whether the Bill should pass as to what title Her Majesty should add to those which she already possessed. He was proud of living under the rule of the Queen. Nothing could add to the dignity of the Royal title in this country; and if this had been a question of investing the Queen with the title of Empress in England he would have given the proposal his most uncompromising opposition. But when it was argued that the Queen should not take the title of Empress because there had been wicked Emperors, such a procedure did not commend itself to English common sense. There was no use of arguing the question on that abstract ground. What they had really to consider was whether the assumption of the proposed title would or would not be beneficial to the interests of India. It was certainly most desirable that the title to be borne by the Queen in India should be one which declared in the most emphatic way the predominant power of our rule in India. This was no new matter. Ever since the Government of India had been transferred from the East India Company it had been understood that the title of Empress would be assumed by the Queen. General Jacob, in his scheme for the improvement of India, spoke of her as the Empress of India; Lord Northbrook had used the phrase "Empress of Hindustan;" newspaper correspondents employed the same phrase; it was accepted in articles in all kinds of periodicals; and even the almanacks—*Whittaker's* and *Who's Who?*—had spoken of the Queen as Empress of India. With regard to what fell from the right hon. Gentleman the Member for Greenwich, he had listened to his speech with astonishment. It touched upon most dangerous grounds. The right hon. Gentleman had adopted a course which was so indiscreet that it almost became a fault—and a political fault, according to French ethics, was more than a crime. When the right hon. Gentleman spoke of our taking away from the Native Princes the prerogatives, the privileges, and the supremacy they had enjoyed, he ought to have been very certain of his facts, and very sure that the Bill would do what he said it professed to do. The despatches that had been quoted that evening from Lord Canning to Scindia showed that the paramount power of the Queen over the Native Princes was declared in the most emphatic manner; and therefore the argument against the assumption of the proposed title fell to the ground. Whatever title Her Majesty might be pleased to take—and that he could confidently leave to the Government—he hoped that the effect of the assumption of the new title would be to strengthen and consolidate our paramount power in the East, and that it would draw still closer the ties which united the Empire of India to the United Kingdom. That it would confirm the confidence which he believed the Natives now had in the justice and benignancy of the British rule, and would perpetuate that feeling of chivalrous loyalty to the Sovereign which had been so strikingly evoked by the visit of the Prince of Wales. He hoped that in the words of a former Member of that House—Mr. T. Baring—India would not be made the shuttlecock of Party in this matter, and that the Bill would receive the support of a great majority of that House, as it had already received the almost unanimous assent of the great mass of the people of this country.

Mr. SULLIVAN: I rise, Sir, to a point of Order, and I ask your ruling on this point. I was under the impression that it was out of Order in this House to invoke the displeasure of the Sovereign on myself and my fellow Members. I heard, if I recollect aright—and I did not wish to interrupt the noble Lord by asking your ruling, as I now do, whether we are to deliberate on this question under a menace of asking the Sovereign to stultify herself? Sir, I ask this ruling, recollecting that exactly 240 years ago—["Oh! oh!"]—I do say that we are carried back to the evil days of the Stuarts by the observations of which I complain, when the wish of the Sovereign was imported into a debate on the floor of this House; and the answer made was the answer which I make now, subject to your ruling, which I evoke—

> "The Prince's wish is brought into our Assembly like the roaring of a lion—who can withstand it?"

I now complain of the menace held out to me and to other Members of this House; and I respectfully demand a ruling whether it is in accordance with good order in this House to import the wishes, feelings, or proclivities of the Sovereign by saying that we call upon her to stultify herself?

Mr. SPEAKER: No doubt the introduction of the name or the wishes of the Sovereign, with a view to influence the judgment of this House, is altogether out of Order. If I had thought that the noble Lord who has just addressed the House had so offended, I should have considered it my duty to have called him to Order.

Mr. ANDERSON wished to say a few words as a Constitutional Member, for hon. Gentlemen opposite, who claimed the title of the Constitutional Party, while claiming that name had, by introducing this Bill, abandoned the position. The House had heard an eloquent speech from the noble Lord opposite (Lord Elcho), but in spite of that speech the Amendment which the noble Lord had placed upon the Paper spoke far stronger meaning than his words had done, and showed that he had the very same dread of this title that Liberal Members had. The hon. Member for Mid-Lincolnshire (Mr. Chaplin) said, that he could fancy nothing worse for the dignity of the House of Commons than to draw back from the position that had been taken up by Her Majesty's Government. He (Mr. Anderson) could fancy something very much worse for the dignity of the House of Commons, and that was the Party subserviency which rather than condemn the blunder of a Prime Minister would utterly neglect and ignore the wishes and the feelings and susceptibilities of the people of this country and the constituencies who sent them there. He agreed with a great deal of the speech of the hon. Member for Cambridge (Mr. Beresford Hope), and he was only surprised that he could wind up with such a conclusion as to vote for this Bill. He was particularly pleased to hear the severe rebuke which the hon. Member administered to the Chancellor of the Exchequer for saying that a wave of healthy public opinion was really an unreasoning panic. A week ago he (Mr.

Anderson) ventured to say to the Prime Minister opposite, that as Members on the Liberal side of the House were totally dissatisfied with the title of Empress, so the people of the country would be equally dissatisfied; and he ventured to tell the right hon. Gentleman that he would live to regret having touched the subject at all. He did not then expect that within one short week these words would be justified and the manifestation of popular feeling would be so strong as it was. Reference had been made to the Liberal Press. But had not the Conservative Press spoken out strongly upon this matter also? Had not various Conservative papers strongly condemned the Bill? Did the right hon. Gentleman feel as confident to-night as he did a week ago when he led that great majority of secretly-dissatisfied Members? ["Oh!"] He said secretly dissatisfied, because hon. Members who had voted with the Government did not hesitate to speak privately against the measure. ["Name."] He declined to give names. Hon. Members opposite would not like to hear their names, nor did he think that in a matter of private conversation he should be asked to do so. The right hon. Gentleman, when he led that large majority, and found only 31 to record their dissent, must have felt a little more triumphant than he did at present. The division which was about to take place would impress upon the right hon. Gentleman much more strongly what the real feeling of the country was; and if it were postponed for a week, a fortnight, or a month longer, it would express it still more freely. When the right hon. Gentleman addressed the House, he said he was surprised that the criticism of the Bill should proceed on what he called the gratuitous assumption that the word Empress was to be used. He said that the fact of the whole of the arguments being based upon that assumption was a *primâ facie* proof that that title was an apposite one. The result had proved that the assumption was based upon well-founded apprehensions, and it had shown that the feeling of the country coincided exactly with the feelings of those who opposed that title. Referring to the speech of the right hon. Gentleman in a former debate, in which reference was made to the "Antonines,"—he must remark that the Antonines were not all good — what of Commodus and Caracalla, and if we went back to them might we not also go to Caligula and Nero? He quite agreed with the hon. Member for Cambridge, who had said the reference to the Antonines was mere rubbish. The Prime Minister had also cited the instance of the Czarina, who in 1745 took the title of Empress, and had said that this caused such an excitement throughout the Courts of Europe that she had found it necessary to issue a diplomatic letter, declaring that in the assumption of the title she did not claim any superiority over contemporary Kings. Was the right hon. Gentleman prepared to subject Her Majesty to the same indignity, and that now when she wished to take the title of Empress, which was likely to make some commotion in the Courts of Europe and even of India, she was to be obliged to write a diplomatic letter or reversal to say that she meant nothing by it? If he did not, what was the illustration brought up for? The people of this country did not need to strengthen their sound practical instincts by going back to the times of the Antonines or even of the Czarina. They were content with modern instances; and if they kept to modern instances, it was quite impossible to find any of them otherwise than repugnant to the instincts of this country. Was it Brazil or Mexico, or Morocco, or Hayti they were to copy, or were they expected to feel greater respect for Russia, Austria, or the unfortunate results of the First and Second Empires? With these examples before them the people of this country sought for nothing more, nor did they care about nice definitions of words. However much they might go into them, they could not disabuse their minds of the simple, currently accepted meaning of the title of Queen, which was a Constitutional title, while that of Emperor was more or less despotic. It was not by a quotation from the *Faerie Queen* that their opinions would be changed. But if the poets were to be consulted upon this question, he would refer the right hon. Gentleman to Dante's description of the attributes of Almighty Power, in which he drew a nice distinction between reigning and governing, which, he took it, was exactly the difference between Queen and Empress. The right hon. Gentleman said that Empress was to be only a local title confined to India. The House could not believe that. They well knew that they would blind themselves to certain natural results if they did so. It was quite true the title of Empress was to be put at the tail of a long string of titles now; but in spite of whatever might be intended, and in spite of Amendments by the noble Lord the Member for Haddingtonshire and others, custom would bring Empress from the end to the beginning of the title, and that was what they dreaded. He was surprised that the Constitutional Party should bring in such a dangerous change. He looked upon the adoption of the title of Empress of India as the first step in the decadence of our Monarchy. The second step, and one that would be certain to follow, would be "Emperor of England." The third step he would not venture to predict; but he would remind the House that the title of Emperor in its origin and inception never was hereditary, and it would appear as if fate precluded the possibility of its becoming so. In one neighbouring country where it had been found quite possible to have a long line of Kings, it had been found utterly impossible to have a long line of Emperors. The best friends of a permanent and enduring Monarchy in this country were those who most jealously watched against every trespass, and who kept the Monarchy most strictly within constitutional limits. On that occasion, Liberal Members were the best friends of the Monarchy. Hon. Members on the other side had proved themselves by the present Bill to be the very worst. The Prime Minister had no fear of the title of Empress coming here, because he said we never called the Queen "Her Royal Majesty." But though the Queen was never so styled, unfortunately an Emperor was always called "His Imperial Majesty," and there was a danger that we in this country should leave out the "Royal" and adopt the "Imperial." Then, what were the Princes, Princesses, and Royal Dukes? They were at present called their Royal Highnesses. Were they to be after this Bill "their Imperial Highnesses?" Rumour abroad said that was the main reason of this Bill. He hoped that rumour was not true. But the right hon. Gentleman opposite had told them he was very fond of the amplification of titles, and it was very likely he might be found some day creating a certain Royal personage "Grand Duke of Edinburgh," in order to put him on a level with his Imperial wife. The right hon. Gentleman described in glowing terms the advantages of an amplification of titles, and said it was almost the only means of touching and satisfying the imagination of nations. If that were the object of this Bill, was the House prepared to pay the price for it? Were they to wound and offend the susceptibilities of this country in order to touch and satisfy the imagination of another? If they were, was the title of Empress of India one which would effect that object, or was it not more likely to cause dissatisfaction? Upon that point the right hon. Gentleman had refused to give the House any evidence. It was to be feared that, instead of touching and satisfying their imaginations, it would cause the Native Princes of India to look upon it as a menace to their independence. The hon. Member for Kirkcaldy (Sir George Campbell), who probably knew more about India than any other Member of the House, said that the titles Queen and Empress had to be translated by exactly the same word. If that were so, where was the amplification? There was no evidence that this change would please India, and even if the Princes of India liked it, they knew the people of India would not. It required a very strong title indeed to touch the imagination of an Eastern people. There was a title of a Potentate, he believed, of Siam, which ran thus—"Brother of the Sun, Half-Brother to the Moon, Absolute Controller of the Ebb and Flow of the Sea, and Supreme Lord of the 24 Golden Umbrellas." That was something like a title for an Eastern Ruler. But indeed this was no subject to be met with a jest. There was a grave fear that, instead of touching and satisfying the imagination of a nation, we might stir up feelings of quite another kind. There were many educated Natives who recognized and appreciated our institutions, and was this title of Empress to be sent to them as a message of peace and goodwill? Was the House to stamp that despotic title upon them in perpetuity, and would it not be far more worthy of the country and safer for our rule, to leave India a share in our own old constitutional title, and a hope that they might in time without revolution, and without upsetting the

British Raj, work out for themselves by degrees some of those constitutional forms of government which were the chief glory of ourselves and our colonies, but which were hardly compatible with the title of Empress.

MR. BECKETT - DENISON said, he would not have risen at that late hour to make a few remarks, but he thought it was not right, after the Bill had reached the stage it had, that the Government, who had brought it forward, should be left its sole defenders. It was, to his mind, a remarkable fact that many of the speeches which had been delivered from the Opposition benches had wholly ignored the stage at which the Bill had arrived. Those speeches ought to have been spoken on the second reading, when the principle of empowering the Sovereign to assume the title was in question. He hoped, in spite of the predictions of dangers to arise under the Bill, the Government would steadily and quietly pursue their course, and he would not believe that at the present stage the Leaders of the Opposition would be followed by the rank and file of their Party in voting for a Resolution which would have the effect of destroying the purpose of the Bill. The noble Marquess (the Marquess of Hartington) had spoken of the mystery with which the proposed title had been concealed from the House; but he must surely have forgotten that with scarcely an exception the metropolitan Press assumed at once that the title was to be that of Empress. The noble Marquess had said it was more than he could do to adequately express his sense of the delicacy of the question. But the hon. and learned Member who followed on the other side neither expressed, nor apparently felt any delicacy whatever, and overlooked even the terms of the Motion of the noble Marquess in his opposition to the principle of the Bill. The noble Marquess had referred to the columns of the public Press as proof of the strongly antagonistic feeling to the measure which pervaded the country. The question, however, was whether that feeling was a reasonable or an unreasonable one, or whether it was the impulsive reasoning of men who felt that they had got an opportunity of keeping a Party together. Probably the last had much to do with the rapid change in public opinion, as represented by the Press, since this Bill was introduced. He had listened in vain for any arguments against the Bill. The noble Marquess and the hon. and learned Member for Oxford (Sir William Harcourt) had both suggested that there were some great political considerations influencing the Government which could not be permitted to see the light of day, but there was no foundation for that assumption. Might not the political considerations referred to by the First Lord of the Treasury have reference, not to the Indian Princes, but to the greater Power on the other side of the Himalaya with which in India we were daily brought into contact? The other argument, that by the assumption of this title the personal sway of the Sovereign was to be rendered more direct and distinct, was altogether unsound, and those who used it knew very well that in the assumption of the title of Empress no change of policy was intended respecting the Princes of India. It would only emphasise and accentuate a state of facts already existing, and the Government was merely taking advantage of an auspicious occasion—the visit of the Prince of Wales to India — to carry out an object which had been long in contemplation. The hon. and learned Member for Oxford had tried to show that the assumption of the title of Empress would be impolitic, because in certain Treaties made with the Princes of India they had been treated as equals; but he kept back the fact that these Treaties were made by the Princes of India, not with the sovereign power of England, but with a trading company. It had been asked, Was the Queen of England to take the position held by the Emperors of Delhi?—but he maintained that Her Majesty was at this moment in a higher and more complete form Empress of India than any Emperor of Delhi that had ever lived. There was no danger of the Sovereign of this country copying anything that was bad in the conduct of the Emperors of Delhi. The arguments used on this point by the speakers on the other side would not bear serious comment; and, in fact, he regarded as shallow and hollow the opposition which had been offered to the Bill. With respect to the English aspect of the question, he did not share the apprehensions which the hon. Member for Glasgow (Mr. Anderson) had so gloomily foreshadowed. He did not think that the assumption of the title of Empress would in any degree depreciate or detract from the honour and dignity of the Throne of this country. The noble Marquess had stated that whatever might be the title assumed, it would have to be translated into the Native languages of India, and that the translation would be everything in the eyes of the Indian people. That was an assertion to which he gave a distinct denial. For the purposes of Government all that would be necessary would be to employ the word Empress in all Proclamations and public documents, leaving to each one who read them to translate them in his own way. He did hope that the House, having read the Bill a second time, would deliberately consider what the position would be if they refused to pass it through its remaining stages. Was it the wish of hon. Members opposite, either by act or deed, to place indignity on the Throne of this country? To read the Bill a second time, and then pass a Resolution compelling its withdrawal was in effect to place indignity on the Throne of this country. But he believed that the counsel of the hon. and learned Member for Sheffield (Mr. Roebuck) would prevail, and that the result would be to present to the nations of the world the spectacle—which we ought to present—of a united Parliament and a united people, with one mind and one purpose, indivisible and indissoluble.

Mr. W. E. FORSTER said, there was a strong impression in the minds of many hon. Members of the House, including himself, in regard to the unusual, and he might say the inconvenient, haste with which Her Majesty's Government had chosen to press forward this important Bill. [*Laughter.*] Hon. Gentlemen on the other side seemed to laugh at that assertion; but he would ask any hon. Member on either side of the House whether he had ever known of a case in which a Bill of so much importance had been so hastily pressed upon the House? Here was a Bill which the House was told greatly affected political considerations in our Empire of India, and which in regard to home affairs was of singular importance. It proposed a change in the title of our Sovereign, in which no change had been made since the beginning of the century. If there could be a doubt as to the inconvenient haste with which the Bill had been pressed, it must have been removed by the speech of his hon. Friend the Member for the West Riding of Yorkshire (Mr. Beckett-Denison). His hon. Friend complained that the present debate ought to have been raised on the second reading. Owing to the manner in which the Government had chosen to conduct the Bill, the House was now in the position of a second reading. It was not a month since the Bill was introduced, and only a week had elapsed since the House was told what the title would be. It was true it had been said that the object of the Bill was to make some alteration so as to recognize the transfer of India from the Company to the Crown, but the change in the title was the real meaning of the Bill. Feeling, as he and his Friends all did, in unison with his noble Friend the exceeding delicacy of the question, and having an exceeding dislike to cause any division, they allowed the Bill to pass the second reading, and it was rather unfair for hon. Members opposite to charge them with taking the present opportunity of discussing what was not brought before the House until the last moment. There was evidently some misconception on the part of some hon. Members with regard to the Motion of his noble Friend. That Motion, if carried, would not stop the Bill. He believed there was but one opinion in the House—that there was no abstract objection to recognize the transfer of the Government of India from the Company to the Queen; and he further believed there was a general opinion that if that recognition were ever made the present was the most opportune occasion for making it, when the Heir Apparent to the Throne was visiting our Indian Empire. It was true that his right hon. Friend the Member for Greenwich found fault with the terms in which the recognition was to be made, and said that the utmost care should be taken—and that the Government should prove that the utmost care was taken—that we asserted no right over the Princes of India which was not asserted at the time when the transfer took place. For his own part, he could not conceive any question more proper to raise; and, indeed, the Chancellor of the Exchequer admitted that if there existed any doubt upon the matter it must be removed. Up to the present time, however, no explanation had been given, and his fear was greatly increased by the speech of the hon. Gentleman who had just sat down, for he stated that the Queen was now in a different position, and the Government of India in a different position with regard to the Princes of India with respect to the Treaties which had been made with them than at the time of the transfer. The Proclamation issued at the time of the transfer distinctly stated this—

> "We hereby announce to the Native Princes of India that all Treaties and Engagements made with them by or under the authority of the Honourable East India Company are by Us accepted, and will be scrupulously maintained; and We look for the like observance on their part."

Mr. BECKETT-DENISON said, he did not suggest that the terms of these Treaties were to undergo any alteration, but merely referred to the fact that at the time they were made with the East India Company, and that though the Queen's Proclamation did pledge that they would be maintained, the terms would probably have been different had it been the reigning Sovereign and not the Queen with whom the Treaties had been entered into.

Mr. W. E. FORSTER said, Members had been told that what they said would be carefully reported in India; but he appealed to the hon. Gentleman whether feelings were not likely to be excited by saying that all was changed. The question raised by his right hon. Friend the Member for Greenwich was whether there would be any deviation in the terms of the Bill. This, however, was not really the question before the House now. One of the objections to the Bill was with reference to the colonies, and it was that, if the title of the Queen were changed at all the colonies ought not to be forgotten, and another was that the title of Empress was one which ought not to be assumed by Her Majesty. Both these points were raised by his noble Friend's Resolution. If the House accepted the Resolution it could be embodied in a single clause of the Bill, and the object of the Bill — namely, the recognition of the transfer of the Government of India from the Company to the Crown—could be attained just as well as if the Resolution were not passed. Therefore, it was idle to charge his noble Friend with putting the House and the country in a false position. If the House recommended Her Majesty to assume the title mentioned by the Prime Minister last week it would actually make a change in the present acknowledgment of the colonies. The Proclamation of 1858, though not addressed directly to the colonies, was made all over India and was doubtless sent out officially to the colonies, and it had been quoted in almost every almanack and book which was likely to mention titles ever since. In that Proclamation there was a distinct acknowledgment of the colonies, Her Majesty being styled "Queen of the United Kingdom of Great Britain and Ireland and of the Colonies and Dependencies thereof." A positive change was, therefore, being made, and the colonies would be ignored more than they now were. The Chancellor of the Exchequer had said that every mention of the colonies was an after-thought. Well, the Government had given very little time for after-thought. But the right hon. Gentleman was mistaken. On the first day the question was discussed this subject of the colonies was mentioned, both by his right hon. Friend (Mr. Lowe) and himself. The Royal Colonial Institute had also addressed a very important memorial to Her Majesty, in which, while hailing with great satisfaction Her Majesty's intention to take an additional style and title in connection with India, they had expressed a belief that the Queen's subjects in her vast Colonial Empire should have some similar recognition accorded to them. The memorial mentioned the Proclamation of 1858, in which Her Majesty was styled Queen of the United Kingdom of Great Britain and Ireland, and of the Colonies and Dependencies thereof in Europe, Asia, Africa, America, and Australasia, Queen, Defender of the Faith. It was signed by the Duke of Manchester, as President of the Council of the Institute, which was composed of eminent gentlemen connected with almost every one of our colonies. The First Minister of the Crown had described the colonies as part of the United Kingdom — which they certainly were not; and the colonists as nugget finders and fortune hunters who merely went out to come back, be presented at Court, and settle down as country gentlemen at home. The colonists were surprised that they should be so described. What they knew was, that they were founders of a Commonwealth; and as they grew in age, wealth, and prosperity, the Government of this country would fail in their duty if they did not do everything in their power to preserve the existing union between the colonies and the Mother Country. This could not be done, however, by considering them a fluctuating body of individuals who merely went out to come back again, but by considering them as founders of great countries beyond the seas. The right hon. Gentleman showed a singular want of consideration for the colonists and made one statement which was astonishing beyond measure. He said he remembered 20 years ago an illustrious statesman who would have been glad to have received a Dukedom of Canada.

Mr. DISRAELI: I made no statement of the kind. What I said was that a statesman of great eminence had thrown out the idea that there should be a Dukedom of Canada; but not that he should receive the Dukedom.

Mr. W. E. FORSTER said, this was not a matter of much importance. What followed was far more material. The right hon. Gentleman said that Canada did not now exist, for it was called the Dominion. This was an extraordinary statement considering that the right hon. Gentleman was Leader of the House at the time when the Dominion of Canada was proclaimed. It was not a Dominion in place of Canada, but a union of Canada, Nova Scotia, and New Brunswick in one Dominion under the name of the Dominion of Canada. It was really as correct to say that Canada was no longer Canada because it was a Dominion, as it would be to say that Great Britain was no longer Great Britain because we talked of the United Kingdom of Great Britain and Ireland. Having been lately in the colony, he could say that it was still always spoken of as Canada; while the House of Commons there was spoken of as the Canadian, and not the Dominion, House of Commons. He alluded to this matter not because it much affected the question before the House, but because it showed that the question of the colonies could not have been much considered by the Government, or else the right hon. Gentleman could not have made such a mistake. He passed now to the question of the title which Her Majesty was to assume. It was said that the title of Empress was to be taken solely on account of India, and that it was desired and earnestly expected by the Princes of India. No proof, however, had been given of the existence of this desire. He could not believe that the Chancellor of the Exchequer really meant the House to suppose that an address by the Talookdars of Oude, or a letter from the Rajah of Jeypore, furnished any sufficient evidence on this point. He had looked over several addresses sent here from India, and they generally followed the style of the Royal Proclamation. Why, then, was this title wanted? If translated, the same Oriental word would be used for Queen or Empress; we could make what translation we pleased. If not translated, the word "Queen" would have just the same effect as Empress. He had a rupee in his pocket. It was worth 2*s.*, but would soon, he was told, owing to the depreciation of silver, be worth much less. The superscription it bore was "Victoria, Queen." Were these words to be changed to "Victoria, Empress?" He hoped not—at any rate until we were satisfied with respect to the depreciation of the currency. It would be very unwise that the change in the Queen's title should be made known to the Queen's Indian subjects by a depreciated coin. There seemed to him one good reason why the title of Empress was not so good for India as that of Queen, and it was this:—In India we were dealing with a very large majority of the population, who did not know the English language. They were accustomed to the title of Queen, and it was better not to subject them to any change. But there was a small portion of the people who did understand English, and, once we made this change, they would immediately try to discover the difference. Was it to be supposed that it would lead to the perpetuation of our rule if that intelligent minority were to be told that we were to have a Queen in England, while they were to have an Empress in India? He thought that they would find that Empress meant personal rule, and carried with it the Imperial idea more than did the word Queen. But the real point was that no necessity upon Indian grounds had been shown for the use of the words "Empress of India." If the Government had any information on that point, surely they would have laid it before the House; but no despatch from the Governor General of India and no Minute of the Council of India on the subject had been produced. They were bound therefore to consider what the effect would be in our own Islands. He asked them how they could hope to localize the highest title; could they suppose that everybody would follow their injunction in the matter, and that the Queen would be called Empress in India, and Queen elsewhere? Many allusions had been made to the newspapers, and his right hon. Friends behind him were said to have greater power over them than they ever supposed they had. He did not think they had had such friendly treatment from the newspaper Press of London. It had been stated that within the last week there had been a great change; but the fact was that it was only a week ago that the public knew that we were to have the title of Empress. ["No."] He certainly did not know it, nor did many of the Members of this House. But the newspapers which his right hon. Friends were supposed to influence — such as *The Pall Mall Gazette*—were not the only newspapers who took the view to which he referred. He did not know that he had seen his own views expressed anywhere so well as in that journal, which chiefly represented the opinions of hon. Members opposite, immediately after the first introduction of the Bill. The journal to which he referred said—

> "To lower the English kingship to the level of a modern Emperor; to exchange the title of ten centuries for one of yesterday, would be a folly which no English Prince would dream of committing. And yet, if the title assumed in India be that of Emperor (or Empress), it may not be in the power of the Queen or her successors to prevent first an admixture and then a change. First Anglo-Indians, then grandiloquent journalists, then snobs and simpletons generally will come by degrees to speak, it may be, originally, of the Queen-Empress, then of the Empress-Queen, and at last of the Empress simply. A risk like this should not be lightly run, and Mr. Disraeli is the last man in England to hold it lightly. If he once realizes that such a corruption of the ordinary title of the English Monarch is possible, he will fully understand that it must be avoided at any rate." [*Cries of* "Name."]

That was the opinion of *The Standard.* And from what had appeared in that well written paper since that time he had seen no reason to induce him to suppose that we could localize the title of Empress in India. The whole argument of the Prime Minister a week ago came to this—that this title of Empress would have great power over the Oriental imagination. The right hon. Gentleman seemed to argue as if imagination was solely an Oriental faculty, and that dull Anglo-Saxons could not equally possess it. But we were proud of our Kings and Queens, we revolted from the Imperial idea, and your title of Emperor, whether it should be so or not, was distasteful to the English imagination. It was really inconceivable to him why any Conservative Government or Party should push forward this Bill. Did hon. Members think that any Conservative Premier for the last 100 years would have proposed it? Would Pitt, would Peel, would even Lord Liverpool or Lord Castlereagh have done so? They would have viewed the matter in the same light as *The Standard* did, and as the majority of the Tory Party viewed it, until they found that for Party purposes they must support what was proposed. The Conservatives were the men who had forced on this discussion. They were the Radical Party on this occasion. There were now two schools of Radicalism, one of which had been educated by the right hon. Gentleman. He (Mr. Forster) was a follower of the old school of Radicals, and to his mind all the charges against Radicalism would be true if they attempted what would indeed be a dangerous Radicalism—namely, to dig about the roots of the loyalty of the people to their Monarch. He did not suppose there ever was a time when there was a stronger feeling in favour of our hereditary Monarchy than the present. It was a reasonable feeling — a feeling which the experience of Europe would impress upon us still more strongly. It did not arise merely from the circumstances of the civilization of the time; it was strengthened by the loyal manner in which Her Most Gracious Majesty had so long fulfilled her constitutional duties. Her public actions and her private virtues had increased the hold of Royalty on the affections of the people. And was this the time to tamper with that feeling? The wise and beneficent rule of Queen Victoria had made the Royal title more dear to the British people than it had ever been since the time of Queen Elizabeth, and even more dear than it was then, because whilst Elizabeth was beloved by many, she was hated by others. Her present Majesty reigned in the hearts of her subjects; and was this then a time to add to that old and honoured title of Queen, which Her Majesty had made a symbol of glory and of freedom as never before, the name of Empress, which was a symbol of despotism? In England they believed in Monarchy, but there were some countries which did not. What did they find in France now? The greatest patriots in France were reluctantly forced to abide by a Republic; because, having lost the hope of a constitutional Monarchy, they had to choose between a Republic and an Empire. Was this, then, a time when they should force our working men to ask themselves whether, after all, our Monarchy was not in some way tainted by association with that Imperial idea which was abhorrent to their sentiments? What was the opinion of intelligent foreigners on this subject? Had they found one who was not utterly surprised at the conduct of Her Majesty's Government? They could not understand why they did not leave well alone. The hon. Member for Cambridge University (Mr. B. Hope), while sympathizing with the dislike to the new title, would not vote for the Motion of his noble Friend, because if successful it might be regarded as a Party victory. But hon. Members on his (the Opposition) side of the House wanted no Party victory. The Government would incur no humiliation in yielding to the patriotic feeling which had been called forth throughout the country. By making an alteration in the Bill of no importance as regarded India, they might render it acceptable to England. He called on the Government to re-consider this matter, and not to force their followers, by a strict Party majority, to hasten the passage of this innovation, which was distasteful to the country, contrary not only to the instincts, or it might, perhaps, be called the prejudices, but also contrary to the convictions, the good sense, and the good feeling of the great majority of Her Majesty's subjects.

Lord GEORGE HAMILTON said, the right hon. Gentleman who had just sat down had complained of the inconvenient haste with which this Bill had been pressed on. He could sympathize with the right hon. Gentleman and his Friends upon this point. It seemed that a week had not been long enough to enable them to concoct a Resolution which was either intelligible or grammatical. Every other Amendment placed on the Paper had been withdrawn except that of the noble Lord, and for what did he ask his Friends to vote? The question before the House was whether it was advisable to enable Her Majesty to make an addition to the Royal Style and Title, and the noble Lord moved an Amendment to say that—"This House is of opinion that it is inexpedient to impair the ancient and Royal dignity of the Crowm by the assumption"—that is, by the House—"of the style and title of Emperor." These were the words of the Resolution, and he could only express his surprise that after a week's deliberation the noble Lord had not been able to place something less absurd on the Notice Paper. The right hon. Gentleman said it was intelligible; but could the House of Commons, individually or collectively, take the title of Emperor? The right hon. Gentleman stated two objections to the Bill. The first of these was that it did not apply to the colonies, and the second was that the title of Empress was repugnant to the feelings of Englishmen.

Mr. W. E. FORSTER said, he had never stated that the title of Empress would be acceptable to the people of the colonies. What he complained of was that the Government had omitted mention of the colonies.

Lord GEORGE HAMILTON: That was the very point. The right hon. Gentleman brought down a paper connected with the Colonial Institute, which he said represented colonial feeling. In that paper it was stated that the colonies were delighted with the Bill, and asked for similar recognition. Yet the right hon. Gentleman asked his Friends to oppose a Bill by which the title of Empress might possibly be assumed by Her Majesty, and urged in support of his proposal that the colonies wanted a similar recognition. As to the colonies being deeply grieved, he had lived for some years in Canada, and his impression was that if there was one thing the colonists would resent more than another, it would be that of being placed in a category different from and lower than that occupied by the inhabitants of these Islands. But if they were going to use, as the right hon. Gentleman suggested they should, words that would make Her Majesty Sovereign of the colonies, they would place them distinctly in a different position. Alluding to the speech of the late Prime Minister, the right hon. Gentleman had laid down such dangerous doctrines, and made statements so pernicious, that it was absolutely essential that the Government should flatly contradict them. The right hon. Gentleman found fault with the Preamble of the Bill, and said it was not in accordance with the Act regulating the Government of India; he stated that India was not governed in the name of the Queen, and he read all the first clause; but he stopped short of the second clause, the first words of which said that India should be governed in the name of Her Majesty. But why did he attach so much importance to that point? He said they were going to take some power in India which they did not possess before, and therefore Indian Princes would by this Bill be asked to surrender their supremacy. But there were no Princes in India that were supreme; they were all subordinate; and that was proved by the terms of the Sunnud Adoption of 1861 which was addressed to every Native Prince, and which must have come before the Cabinet of which the right hon. Gentleman was a Minister. Its concluding words were—

> "Be assured that nothing shall disturb the engagement thus made so long as your House is loyal to the Crown and faithful to the conditions of the Treaties, grants, engagements, and obligations to the British Government."

That established, beyond the possibility of contradiction, that there was no such thing as political supremacy attaching to Princes in India. They had been asked why they did not produce the opinion of the Governor General; but the strongest possible evidence of his opinion had been given by his spontaneously making Mr. Forsyth, in his mission to Yarkund, the representative of the Empress of Hindustan, in order that he might secure to the subjects of the Native Princes of India the same advantages as were secured for the subjects of Her Majesty. His right hon. Friend had pointed out that no Native State had the power of representing itself at any foreign Court, and in consequence of that the political officers of the Queen protected the subjects of Native States just in the same way as they protected our own subjects, and that not because they were the servants of the Queen of England, but the servants of the paramount power in India. It was for that reason that if the Bill passed Her Majesty would adopt the title of Empress, because it was the only word in the English language which expressed the peculiar position she occupied in India. Her position was twofold. Her Majesty had over the dominions which had been transferred to her the same rights of sovereignty as she had elsewhere; but over and above that, she had certain rights over the independent Native States because she was the paramount power. It was not correct to say it was immaterial whether Her Majesty took the title of Queen or Empress because it would be translated by precisely the same Oriental word, for he could only state that he had had the various Proclamations issued since 1859 examined, and he found that the word Padishah, which they were told signified Queen, did not appear in any one of those documents. The title Padishah had never been claimed by any one but Mahomedans, and he did not see therefore why they should force Her Majesty to assume a title which none but Mahomedans had ever assumed before. The House must not look at that Amendment or Resolution simply by itself. They had had the most dangerous doctrines laid down by the right hon. Member for Greenwich. He said that any man who questioned our paramount power in India, and more especially if that man was an ex-Premier, laid down a most dangerous doctrine. [Mr. GLADSTONE denied ever having done that.] The right hon. Gentleman had said there were Native Princes in India who were politically supreme. [Mr. GLADSTONE: Never.] The right hon. Gentleman's words were—

> "When the right hon. Gentleman (Mr. Disraeli) says that the Princes of India desire this change to be made, does he mean to assure us—and if he does I shall require distinct evidence in support of it—that the Princes of India who hitherto have enjoyed political supremacy desire to surrender it through the medium of this Bill."

If we are the paramount Power, no Native Prince is politically supreme. If the Native Princes are politically supreme, we are not the paramount Power;

and whoever says that the Native Princes are politically supreme denies that we are the paramount Power. There was not a single statesman who had held a high office in India who would not tell them that without exercising paramount power our government in India would be an impossibility. The Amendment before the House said that Her Majesty might make an addition to her title relating to India, but it excluded the one word which in our language expressed her paramount power, while it suggested the use of a word which expressed only a part of her power, and if that Amendment were adopted it would spread consternation in the mind of every official in India. They were asked to accept the Amendment because the people of England were against the title of Emperor. Was it not curious that he, a metropolitan Member, living in the midst of his constituents, should be told by a Scotch Member that the people of England were opposed to that title? And when he heard that the working men of England were averse to that title, did any hon. Member pretend that the working men would think any the worse of the title of Her Majesty because Empress was a mere appendage to it—an appendage which she enjoyed because she was the Queen of England? A good deal was said the other day about the title of "Defender of the Faith," and the right hon. Gentleman (Mr. Lowe), with a sneer, said Her Majesty was defender of many faiths; but on that point he wished to read a passage from Her Majesty's Proclamation which the Natives of India well understood—

> "Firmly relying Ourselves on the truth of Christianity, and acknowledging with gratitude the solace of Religion, We disclaim alike the Right and the Desire to impose our Convictions on any of Our Subjects. We declare it to be Our Royal Will and Pleasure that none be in any wise favored, none molested or disquieted by reason of their Religious Faith or Observances; but that all shall alike enjoy the equal and impartial protection of the Law: and We do strictly charge and enjoin all those who may be in authority under Us, that they abstain from all interference with the Religious Belief or Worship of any of Our Subjects, on pain of Our highest Displeasure."

The Natives of India knew well what Emperor meant. Two or three mails had lately arrived from India, and in not one of the Indian papers that had arrived by those mails had he seen anything but approbation of the proposition that Her Majesty should take a title with reference to our Indian dominions. One of the first difficulties in the way of governing the people was the difficulty of ascertaining accurately the opinions of the people. There were a great number of different races with different laws, customs, and language, but they none of them thought it possible that they should be well governed except under a Monarch of some sort or another, and the title now proposed had the unanimous approval of both Princes and peasants alike. It was therefore a little hard that this Bill, which they knew their fellow-subjects in India were unanimously in favour of, should be abandoned in deference to the opinion of Mr. Griffiths and the Government bench of the Opposition.

Mr. T. CAVE moved the adjournment of the debate.

Motion made, and Question proposed, "That the Debate be now adjourned." —(*Mr. Thomas Cave.*)

Mr. DISRAELI said, he hoped the Motion for adjournment would not be pressed. He had done all in his power in order that every Gentleman might have an opportunity of speaking. No doubt the hon. Member for Kirkcaldy (Sir George Campbell) and the hon. Member for Dumfries (Mr. Noel) who had given Notice of an Amendment wished to address the House, and he would take care that they should have an attentive hearing. As far as he himself was concerned, he was ready to address the House if necessary; but he was so satisfied with the course of the debate that he was perfectly ready to waive his right, if he might call it so, to address the House, and would listen to the two hon. Gentlemen if they would favour the House with their opinion before the division.

Mr. MORGAN LLOYD supported the Motion for adjournment, because he thought the House should have time to ascertain the opinion of the people of this country and of the Princes and people of India.

Mr. NOEL also hoped that the right hon. Gentleman would agree to an adjournment, as at that late hour no Member on the back benches would have an opportunity of addressing the House.

Question put.

The House *divided:*—Ayes 192; Noes 324: Majority 132.

Question again proposed, "That the words proposed to be left out stand part of the Question."

Mr. JAMES said, that, notwithstanding the majority against the adjournment, there was a strong feeling out-of-doors that this question should be considered further by the public. They were only told a week ago of the title that Her Majesty was likely to assume, and, although the speech of the noble Lord (Lord George Hamilton), made before the Motion for adjournment, was listened to with attention, it was obvious, from the temper of the House, that the speeches that might be delivered by other hon. Members would not be listened to with equal patience. He begged, therefore, to move the adjournment of the House.

Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. James.*)

Mr. DISRAELI: Sir, I have sat in this House nearly 40 years, and I have never heard such an unconstitutional reason for the adjournment of the House as that which I have listened to with shame from the hon. Member. After the significant vote which has just been given, I was prepared to make to hon. Gentlemen opposite the same offer I had made before — namely, to secure for them, as far as I could—and I am confident I should succeed in doing so—an opportunity of stating fully and freely their opinions on the question now before the House. As far as I can learn, there are only two hon. Members who are really anxious to address the House, and I am sure that the House is prepared to listen to them. I trust, therefore, the hon. Member (Mr. James), whose experience in Parliament is not very considerable, will see that it is not the custom of this House to adjourn our debates in order to stir up animosity, and that after the decision that has just been taken he will not persist in his Motion. If he does, I shall divide the House again, and I shall take that division as significant of the opinion of the House on the Bill.

The Marquess of HARTINGTON: Sir, I have no desire, and I had no desire for the previous Division, except so far as in my power to consult the wishes and convenience of the House; and if I did not interfere before the last Division to offer any advice to hon. Members who sit on this side of the House, it was because I was quite unable, in the short discussion that took place, to gather accurately whether or not there existed a strong desire for the adjournment of the debate. I was aware that there were several Members ready to address the House. I did not think it was an unfair demand; and as this is the first occasion that the whole night has been given to this important subject, I thought that if an adjournment was asked for it should be granted. But it is quite evident, after the Division which has taken place, that there is a strong feeling in the House in favour of concluding the debate; and, under those circumstances, I think the debate should be allowed to proceed. The statement that this is not a Party Question has not been well received by hon. Gentlemen opposite. I can assure you that in making that statement I do so with perfect sincerity; but whether it be a Party question or not, I have no desire, on this occasion at all events, to employ those methods of Party warfare which are sometimes resorted to. I hope, under the circumstances, the Motion for the Adjournment will not be pressed.

Motion, by leave, *withdrawn.*

Mr. NOEL said, the speeches he had listened to from hon. Members opposite had all been addressed, not to the Motion of the noble Lord (the Marquess of Hartington), but to the speeches made on a former occasion by his right hon. Friends (Mr. Gladstone and Mr. Lowe). The Liberal Party had been taunted with attempting to do something which was unconstitutional and ungracious, and they were further accused of having made this a Party question. He denied that they had made it so. It was the way in which the measure had been forced upon the House that had made the question a Party one. There had been an established precedent in this country that when anything intimately connected with the Crown was to be brought forward, to prevent such a debate as this the Minister of the day consulted with the Leader of the Opposition. But that had not been done in this case, and he ventured to say that if it had, what had been called unseemly discussion would not have occurred at all. He gathered from the speech of the noble Lord (Lord George Hamilton) that the Government were full of information as to the feelings of the people of India in favour of this measure; but the information had not been allowed to come before the House. In olden times the Dukes of Normandy, Anjou, and Lorraine were liege-lords of a King and not of an Emperor. When once this Bill had passed, it would be beyond the power of the House of Commons to say whether the Sovereign of this Empire was not to be classed henceforth with the Rulers of Morocco and Hayti, and to prevent the new title being assumed in these islands.

Sir GEORGE CAMPBELL rose to repel a statement which had been made by the hon. and learned Member for Oxford (Sir William Harcourt), who made a misquotation, from a book which he (Sir George Campbell) had written 25 years ago, in a most intolerable way. He had not read that book for nearly 25 years; but when he heard the quotation he said to himself — "Surely I could never have been such a fool as to have written this." He had since procured the book and looked at it, and he found that the hon. and learned Member had taken one part of a passage and then gone to another on quite a different subject, pieced the two together, and given the joint result as his opinion. He repudiated altogether such a method of quotation. He then held, as Lord Dalhousie held, that by fair and legitimate lapses in failure of heirs our territories in India might be extended. He had altered his opinion in some respects from those he held 25 years ago, because the state of things had much altered, but he thought there was no ground whatever for attacking the memory of Lord Dalhousie. He came to the House that day to support the Amendment of the noble Lord the Member for the Radnor Boroughs, and was still inclined to support it, though he must confess that he did not agree with much that the noble Lord had stated in his speech in support of it. He agreed with much that had been said by the Chancellor of the Exchequer, who had opposed the Amendment. As regarded whether a Bill should pass, he always had been in favour of such a Bill, and he believed most of the House were so. The question came to this, what the title should be? He was surprised to hear the Chancellor of the Exchequer say that our predecessors, as Lords Paramount of India, had always been called Emperors, when the fact was that for 100 years we had called the Great Mogul, the Monarch who had reigned at Delhi "King" and only "King." That was the designation always officially given to the greatest Monarch who ever ruled in India. That was one translation of his title; and, therefore, on that point he parted company with the right hon. Gentleman. No one in India had ever applied a title to Her Majesty which must be translated Empress instead of Queen. There was another view of the case which was important. There was a section of the people in India who were known as "Young India." These were now educated by the English, and, proud of their education, indulged very much in what was known as tall talk. They considered themselves much abler fellows than the English, and their custom was to magnify everything Indian, and to minimize everything English. They might think an Empress grander than a Queen, but he did not see why they should be gratified at our expense. He did not see why Her Majesty should not be styled Queen of Great Britain and Ireland, of India, and of the Colonies.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided*:—Ayes 305; Noes 200: Majority 105.

AYES.

Adderley, rt. hn. Sir C.
Agnew, R. V.
Alexander, Colonel
Allen, Major
Allsopp, C.
Allsopp, H.
Anstruther, Sir W.
Arkwright, F.
Ashbury, J. L.
Assheton, R.
Astley, Sir J. D.
Bagge, Sir W.
Bailey, Sir J. R.
Balfour, A. J.
Baring, T. C.
Barne, F. St. J. N.
Barrington, Viscount
Barttelot, Sir W. B.
Bates, E.
Bateson, Sir T.
Bathurst, A. A.
Beach, rt. hn. Sir M. H.
Beach, W. W. B.
Bective, Earl of
Benett-Stanford, V. F.
Bentinck, rt. hn. G. C.
Beresford, G. de la Poer
Beresford, Colonel M.
Birley, H.
Blackburne, J. I.
Boord, T. W.
Bourke, hon. R.
Bourne, Colonel
Bousfield, Major
Bowyer, Sir G.
Brady, J.

Bright, R.
Brise, Colonel R.
Broadley, W. H. H.
Brooks, M.
Brooks, W. C.
Bruce, hon. T.
Bruen, H.
Brymer, W. E.
Buckley, Sir E.
Burrell, Sir P.
Buxton, Sir R. J.
Callan, P.
Cameron, D.
Campbell, C.
Carington. hn. Col. W.
Cartwright, F.
Cawley, C. E.
Cecil, Lord E. H. B. G.
Chaplin, Colonel E.
Chaplin, H.
Chapman, J.
Charley, W. T.
Christie, W. L.
Churchill, Lord R.
Clifton, T. H.
Clive, hon. Col. G. W.
Close, M. C.
Clowes, S. W.
Cobbett, J. M.
Cobbold, T. C.
Cochrane, A. D. W. R. B.
Cole, Col. hon. H. A.
Coope, O. E.
Corbett, Colonel
Cordes, T.
Corry, hon. H. W. L.
Corry, J. P.
Cotton, rt. hn. W. J. R.
Crichton, Viscount
Cross, rt. hon. R. A.
Cubitt, G.
Cuninghame, Sir W.
Cust, H. C.
Dalkeith, Earl of
Dalrymple, C.
Davenport, W. B.
Denison, C. B.
Denison, W. B.
Denison, W. E.
Dickson, Major A. G.
Digby, hon. Capt. E.
Disraeli, rt. hon. B.
Douglas, Sir G.
Dyott, Colonel R.
Eaton, H. W.
Edmonstone, Admiral Sir W.
Egerton, hon. A. F.
Egerton, Sir P. G.
Egerton, hon. W.
Elcho, Lord
Elliot, Sir G.
Elliot, G. W.
Elphinstone, Sir J. D. H.
Emlyn, Viscount
Eslington, Lord
Estcourt, G. B.
Ewing, A. O.
Fellowes, E.
Fielden, J.
Finch, G. H.
Floyer, J.
Folkestone, Viscount
Forester, C. T. W.
Forsyth, W.
Fraser, Sir W. A.
Freshfield, C. K.
Gallwey, Sir W. P.
Galway, Viscount
Gardner, J. T. Agg-
Gardner, R. Richardson-
Garnier, J. C.
Gibson, E.
Gilpin, Sir R. T.
Goldney, G.
Gooch, Sir D.
Gordon, rt. hon. E. S.
Gore, W. R. O.
Gorst, J. E.
Grantham, W.
Greenall, Sir G.
Greene, E.
Gregory, G. B.
Halsey, T. F.
Hamilton, I. T.
Hamilton, Lord G.
Hamilton, Marquess of
Hamilton, hon. R. B.
Hanbury, R. W.
Hardcastle, E.
Hardy, rt. hon. G.
Hardy, J. S.
Harvey, Sir R. B.
Hay, rt. hon. Sir J. C. D.
Heath, R.
Hermon, E.
Hervey, Lord F.
Heygate, W. U.
Hick, J.
Hildyard, T. B. T.
Hill, A. S.
Hinchingbrook, Visct.
Hogg, Sir J. M.
Holford, J. P. G.
Holker, Sir J.
Holland, Sir H. T.
Holmesdale, Viscount
Holt, J. M.
Home, Captain
Hood, hon. Captain A. W. A. N.
Hope, A. J. B. B.
Hubbard, E.
Hunt, rt. hon. G. W.
Jervis, Colonel
Johnson, J. G.
Johnstone, H.
Johnstone, Sir F.
Jolliffe, hon. S.
Kavanagh, A. MacM.
Kennard, Colonel
Kennaway, Sir J. H.
Knight, F. W.
Knowles, T.
Lacon, Sir E. H. K.
Lawrence, Sir T.
Learmonth, A.
Lee, Major V.
Legard, Sir C.
Legh, W. J.
Leigh, Lt.-Col. E.
Leighton, S.
Lewis, C. E.
Lindsay, Col. R. L.
Lindsay, Lord
Lloyd, S.
Lloyd, T. E.
Lopes, Sir M.
Lorne, Marquess of
Lowther, hon. W.
Lowther, J.
Lusk, Sir A.
Macduff, Viscount
Mac Iver, D.
M'Kenna, Sir J. N.
Majendie, L. A.
Makins, Colonel
Malcolm, J. W.
Manners, rt. hn. Lord J.
March, Earl of
Marten, A. G.
Maxwell, Sir W. S.
Mellor, T. W.
Mills, A.
Mills, Sir C. H.
Monckton, F.
Montgomerie, R.
Montgomery, Sir G. G.
Moore, S.
Morgan, hon. F.
Mowbray, rt. hon. J. R.
Mulholland, J.
Naghten, Lt.-Col.
Nevill, C. W.
Neville-Grenville, R.
Newport, Viscount
Noel, rt, hon. G. J.
North, Colonel
Northcote, rt. hon. Sir S. H.
O'Clery, K.
O'Gorman, P.
O'Neill, hon. E.
Onslow, D.
Palk, Sir L.
Parker, Lt.-Col. W.
Peek, Sir H. W.
Peel, rt. hon. Sir R.
Pell, A.
Pemberton, E. L.
Pennant, hon. G.
Peploe, Major
Percy, Earl
Perkins, Sir F.
Phipps, P.
Plunket, hon. D. R.
Plunkett, hon. R.
Polhill-Turner, Capt.
Praed, C. T.
Puleston, J. H.
Raikes, H. C.
Read, C. S.
Rendlesham, Lord
Repton, G. W.
Ridley, M. W.
Ripley, H. W.
Ritchie, C. T.
Rodwell, B. B. H.
Roebuck, J. A.
Round, J.
Ryder, G. R.
Salt, T.
Sanderson, T. K.
Sandford, G. M. W.
Sandon, Viscount
Sclater-Booth, rt. hn. G.
Scott, Lord H.
Scott, M. D.
Scourfield, Sir J. H.
Selwin-Ibbetson, Sir H. J.
Shirley, S. E.
Shute, General
Sidebottom, T. H.
Simonds, W. B.
Smith, A.
Smith, F. C.
Smith, W. H.
Smollett, P. B.
Somerset, Lord H. R. C.
Spinks, Mr. Serjeant
Stafford, Marquess of
Stanhope, hon. E.
Stanhope, W. T. W. S.
Stanley, hon. F.
Starkey, L. R.
Starkie, J. P. C.
Steere, L.
Stewart, M. J.
Storer, G.
Sykes, C.
Talbot, J. G.
Taylor, rt. hon. Col.
Tennant, R.
Thornhill, T.
Thwaites, D.
Thynne, Lord H. F.
Tollemache, hon. W. F.
Torr, J.
Tremayne, J.
Turnor, E.
Twells, P.
Wait, W. K.
Walker, T. E.
Wallace, Sir R.
Walpole, hon. F.
Walpole, rt. hon. S.
Walsh, hon. A.
Watney, J.
Wellesley, Captain
Wells, E.
Wethered, T. O.
Wheelhouse, W. S. J.
Wilmot, Sir H.
Wilmot, Sir J. E.
Wolff, Sir H. D.
Woodd, B. T.
Wroughton, P.
Wyndham, hon. P.
Yarmouth, Earl of
Yeaman, J.
Yorke, hon. E.
Yorke, J. R.

TELLERS.

Dyke, Sir W. H.
Winn, R.

NOES.

Acland, Sir T. D.
Anderson, G.
Anstruther, Sir R.
Antrobus, Sir E.
Ashley, hon. E. M.
Backhouse, E.
Barclay, A. C.
Barclay, J. W.

Bass, A.
Baxter, rt. hon. W. E.
Bazley, Sir T.
Beaumont, Major F.
Beaumont, W. B.
Bell, I. L.
Biddulph, M.
Blake, T.
Brassey, H. A.
Brassey, T.
Briggs, W. E.
Bright, J.
Brocklehurst, W. C.
Brogden, A.
Brown, J. C.
Bruce, rt. hon. Lord E.
Burt, T.
Cameron, C.
Campbell, Sir G.
Campbell-Bannerman, H.
Carter, R. M.
Cartwright, W. C.
Cave, T.
Cavendish, Lord F. C.
Cavendish, Lord G.
Chadwick, D.
Chambers, Sir T.
Cholmeley, Sir H.
Clarke, J. C.
Clifford, C. C.
Colebrooke, Sir T. E.
Colman, J. J.
Conyngham, Lord F.
Corbett, J.
Cotes, C. C.
Cowan, J.
Cowen, J.
Cowper, hon. H. F.
Crawford, J. S.
Cross, J. K.
Davies, R.
Dilke, Sir C. W.
Dillwyn, L. L.
Dixon, G.
Dodds, J.
Dodson, rt. hon. J. G.
Duff, M. E. G.
Dunbar, J.
Dundas, J. C.
Earp, T.
Edwards, H.
Egerton, hon. Adm. F.
Ellice, E.
Errington, G.
Evans, T. W.
Fawcett, H.
Ferguson, R.
Fitzmaurice, Lord E.
Fitzwilliam, hon. C. W. W.
Fletcher, I.
Foljambe, F. J. S.
Forster, Sir C.
Forster, rt. hon. W. E.
Gladstone, rt. hn. W. E.
Gladstone, W. H.
Goldsmid, Sir F.
Goldsmid, J.
Goschen, rt. hon. G. J.
Gourley, E. T.
Gower, hon. E. F. L.
Grieve, J. J.
Harcourt, Sir W. V.
Harrison, C.
Harrison, J. F.
Hartington, Marq. of
Havelock, Sir H.
Hayter, A. D.
Henry, M.
Herbert, H. A.
Herschell, F.
Hill, T. R.
Holland, S.
Holms, J.
Hopwood, C. H.
Howard, hn. C. W. G.
Ingram, W. J.
James, Sir H.
James, W. H.
Jenkins, D. J.
Jenkins, E.
Johnstone, Sir H.
Kinnaird, hon. A. F.
Knatchbull-Hugessen, rt. hon. E.
Laing, S.
Lambert, N. G.
Laverton, A.
Law, rt. hon. H.
Lawrence, Sir J. C.
Lawson, Sir W.
Leatham, E. A.
Leeman, G.
Lefevre, G. J. S.
Leith, J. F.
Lewis, O.
Lloyd, M.
Locke, J.
Lowe, rt. hon. R.
Lubbock, Sir J.
Macgregor, D.
Mackintosh, C. F.
M'Arthur, A.
M'Arthur, W.
M'Lagan, P.
M'Laren, D.
Maitland, J.
Maitland, W. F.
Marjoribanks, Sir D. C.
Marling, S. S.
Martin, P. W.
Meldon, C. H.
Middleton, Sir A. E.
Milbank, F. A.
Monk, C. J.
Morgan, G. O.
Morley, S.
Mundella, A. J.
Muntz, P. H.
Noel, E.
Nolan, Captain
Norwood, C. M.
O'Brien, Sir P.
O'Byrne, W. R.
O'Callaghan, hon. W.
O'Conor, D. M.
O'Donoghue, The
O'Reilly, M. W.
O'Shaughnessy, R.
O'Sullivan, W. H.
Palmer, C. M.
Pease, J. W.
Peel, A. W.
Pender, J.
Pennington, F.
Philips, R. N.
Playfair, rt. hon. L.
Plimsoll, S.
Portman, hn. W. H. B.
Potter, T. B.
Price, W. E.
Ralli, P.
Ramsay, J.
Rathbone, W.
Redmond, W. A.
Reed, E. J.
Richard, H.
Robertson, H.
Russell, Lord A.
St. Aubyn, Sir J.
Samuda, J. D'A.
Samuelson, B.
Sheridan, H. B.
Simon, Mr. Serjeant
Smith, E.
Stacpoole, W.
Stansfeld, rt. hon. J.
Stanton, A. J.
Stevenson, J. C.
Stuart, Colonel
Sullivan, A. M.
Swanston, A.
Talbot, C. R. M.
Tavistock, Marquess of
Taylor, P. A.
Torrens, W. T. M'C.
Tracy, hon. C. R. D. Hanbury-
Trevelyan, G. O.
Villiers, rt. hon. C. P.
Vivian, A. P.
Vivian, H. H.
Waddy, S. D.
Walter, J.
Ward, M. F.
Waterlow, Sir S. H.
Watkin, Sir E. W.
Weguelin, T. M.
Whalley, G. H.
Whitbread, S.
Whitworth, B.
Williams, W.
Wilson, C.
Wilson, Sir M.
Young, A. W.

TELLERS.
Adam, rt. hon. W. P.
Kensington, Lord

Main Question put, and *agreed to.*

Bill *considered* in Committee.

Committee report Progress; to sit again upon *Monday* next.

LOCAL GOVERNMENT AND TAXATION OF TOWNS (IRELAND).

Select Committee *appointed,* "to inquire into the operation in Ireland of the following Statutes: 9 Geo. 4, c. 82, 3 and 4 Vic. c. 108, and 17 and 18 Vic. c. 103, and the Acts altering and amending the same; and to report whether any and what alterations are advisable in the Law relating to Local Government and Taxation of cities and towns in that part of the United Kingdom."—(*Sir Michael Hicks-Beach.*)

And, on March 31, Committee *nominated* as follows: — Mr. Kavanagh, Mr. Butt, Sir Arthur Guinness, Mr. Brooks, Mr. Mulholland, Mr. Collins, Mr. Assheton, Mr. Rathbone, Mr. Gibson, Sir Joseph M'Kenna, Mr. Bruen, Mr. O'Shauhnessy, Mr. Charles Lewis, Dr. Ward, and Sir Michael Hicks-Beach:—Power to send for persons, papers, and records; Five to be the quorum.

And, on April 6, Mr. J. P. Corry, Mr. Murphy *added.*

PARLIAMENTARY AND MUNICIPAL REGISTRATION (BOROUGHS) BILL.

On Motion of Mr. Alfred Marten, Bill to constitute one Register of persons entitled to the Parliamentary and Municipal Franchise, and otherwise to amend the Law relating to Parliamentary and Municipal Registration in certain Boroughs, *ordered* to be brought in by Mr. Alfred Marten, Mr. Torr, Mr. Birley, and Mr. Dodds.

Bill *presented,* and read the first time. [Bill 108.]

House adjourned at a quarter before Two o'clock.

HOUSE OF LORDS,

Friday, 17*th March*, 1876.

MINUTES.]—REPRESENTATIVE PEER FOR IRELAND—Lord Massy, *v.* Viscount De Vesci, deceased.

PUBLIC BILLS — *First Reading*—Irish Peerage (32); Manchester Post Office* (33).

Second Reading—Council of India (Professional Appointments) (28).

Third Reading—Crossed Cheques* (27), and *passed.*

Royal Assent—Epping Forest [39 *Vict.* c. 3]; Marriages (Saint James, Buxton) [39 *Vict.* c. i.]; Drainage and Improvement of Land (Ireland) Provisional Orders [39 *Vict.* c. ii.]

COUNCIL OF INDIA (PROFESSIONAL APPOINTMENTS) BILL. (No. 28.)

(*The Marquess of Salisbury.*)

SECOND READING.

Order of the Day for the Second Reading, read.

THE MARQUESS OF SALISBURY, in moving that the Bill be now read the second time, said, that the object of the measure which had come up from the Commons was to amend certain enactments in an Act of 1869 having reference to certain appointments to the Council of India. The Bill, therefore, had limited application. The Act constituting the Indian Council appointed a salary to be paid to the Members so long as they continued to serve, but it provided no pensions on retirement. It was familiar to those acquainted with the subject that no portion of the advantages secured by the Civil Servants of the Crown was so much valued as the prospect of a pension. To persons of Indian experience appointed Members of the Council pensions were already secured in consideration of their Indian services. But the Council of India was not composed exclusively of persons of Indian experience, though, no doubt, they were the majority; but also of men of legal, financial, and other special qualifications. But it was not always easy to obtain persons of these special qualifications, who would be willing to serve as Members for the almost nominal salary attached to the office. The Bill, therefore, enabled the Secretary of State for India to appoint any person having professional or other peculiar qualifications to be Members of the Council, to be entitled to the same salary, pension, rights, and privileges as if he had been appointed before the passing of the Act of 1869. The special reasons for every such appointment was to be stated in a Minute by the Secretary of State and laid before Parliament; not more than three such persons were to be Members of the Council at the same time; they would hold office for 15 years, but after that were removable, and the provisions of the Act of 1858 in respect of the number of the Council, and the qualifications of the major part of them were not to be affected by this Bill.

Moved, "That the Bill be now read 2^a."—(*The Marquess of Salisbury.*)

LORD LAWRENCE thought that the Bill was liable to grave objections on the score that it would give great dissatisfaction to those Members of the Council who were excluded. By the Act of 1858 pensions were given to all Members—by the Act of 1869 that was changed, and no pensions were to be allowed to Councillors appointed subsequent to the passing of the Act. It was now proposed to allow three Members of the Council, specially appointed, pensions similar to those given by the Act of 1858. The Bill proposed to give pensions to only one set of Members of the Indian Council and not to others. The reason assigned for this was that they could get civilians of Indian experience to take the position of Councillors, whilst they could not get members of the learned professions and others with special qualifications to accept such appointments. He thought that if a sufficient salary was allowed by the Secretary of State for India, he would readily obtain such services under the present system. It must be borne in mind that although the India Civil Servants who were Members of the Council had pensions, they had already been very well earned, and they had in every case paid a large sum of money in order to secure these pensions. They had in fact paid 4 per cent upon their salaries and allowances during the whole course of their Indian service in order to create the fund out of which their pensions were paid. He thought that the pensions which they had thus received should be no bar to their receiving other pensions as Members of the Council of India;

and it seemed an unfair arrangement to give pensions to one part of the Council and to deny it to the other.

THE DUKE OF ARGYLL said, he did not altogether concur in the observations of his noble Friend who had just spoken. The proposition of his noble Friend the Secretary of State might be open to objection; but, perhaps, no possible course in respect of the subject would be altogether free from it. The first consideration in the matter was, what would enable the Secretary of State to obtain the best men? It was the intention of Parliament that the Council should consist of persons the majority of whom had been in the Indian service; but it was intended also that a minority should be persons not of Indian experience, but lawyers and merchants, and men of statesmanlike character. It was no doubt true, as the noble Marquess had said, that there was a difficulty in getting men of the proper calibre who would be content to serve at £1,200 a-year for 10 or 12 years without a pension. But experience had shown that no difficulty existed in this respect as to those Members who had retired from service in India. For them the work was highly interesting; it was not excessive: and on retirement they could always fall back upon their Indian pension. While, therefore, admitting the objection to having one set of the Councillors pensioned, and the other set not pensioned for the same work, he gave his support to the proposition of the noble Marquess. The only question was whether two instead of three ought not to be enough as the number of the pensioned Members. But he entertained a grave objection to the power given to the Secretary of State for India of removing Members of the Council at his own pleasure after 15 years. In the Bill of 1858 Parliament showed its desire that the Members of the Council of India should be perfectly independent; but an experience of 11 years showed that when there was no term of service the Council became clogged with men too old for the duties of their office. Accordingly, in the Bill of 1869, which he brought in, it was provided that the Councillors should hold office for 10 years with an eligibility of re-appointment for five years on special grounds. There, again, the independence of Members was recognized by statute. The present Bill would, however, give the Secretary of State power to remove a Councillor at any time after a service of 15 years. He was sure that no Secretary of State would exercise that power without cause; but he thought it objectionable, because the removal of the Councillor might be attributed to his having shown himself too independent in his attitute towards the Secretary of State.

LORD SANDHURST expressed his concurrence in the observations of his noble Friend (Lord Lawrence), and held that the pension to which persons who had retired from the Indian service were entitled was part of the wages of their labour which had been deducted from their salaries while serving in India. It might be true that there was no difficulty in obtaining the services on the Council of men who had served in India, but he saw no reason why so invidious a distinction as that now proposed should be drawn. The deductions from salary, while serving to create a Pension Fund, resulted in the case of the most distinguished and oldest Civil Servants in this state of things, that the so-called pension merely represented a life insurance which had been amply reduced by previous payments. He did not think it ought to be laid down that gentlemen coming from India could be had for the asking, while lawyers and engineers must be induced with a pension.

THE MARQUESS OF SALISBURY, in replying, said, there were two different points of view from which the question might be regarded—namely, that of the claims of the Indian Civil Servants themselves, and that of the exigencies of the State. From the first point of view he was disposed to concur with the two noble Lords who had spoken against the Bill. As regarded the claim of the gentlemen of Indian experience appointed to the Council, he saw no reason why they should not enjoy a pension for work done in this country as well as Councillors who were appointed for qualifications other than that of Indian experience. Why he had not made a proposal of that kind to their Lordships was that the House of Commons had shown so much repugnance to it, he thought it would not pass. He should be glad to see such a provision, and regretted that he could not introduce it; but he had felt compelled to bow to the Parliamentary exigencies in the matter, and had, in consequence, excluded them from the Bill. When, however, he came from the claim of the Civil Servants to the requirements of the State, then he found a very different aspect of the question. Indian servants coming from India were in a great want of something to do. Their chief difficulty in this country, where all the walks and professions of life were fixed at an early age, was to find exercise for that energy of which often they had still a full measure; so that he believed that by the offer of even a more moderate salary than that paid to the Members of the Council of India qualified men of Indian experience, anxious to keep up their connection with India and to have their minds occupied with Indian affairs, would gladly accept seats in the Council. But when you came to want Members who had been following professional life in England the case was altogether different. He believed there was no class of men so much sought after as good lawyers without much practice. He might appeal to his noble and learned Friend on the Woolsack, and say that for judicial positions of the second order he would be glad to secure such men. This Bill was absolutely necessary in order to secure efficiency in the Council of India. He concurred with the noble Duke (the Duke of Argyll) that it should not be left to the Secretary of State to put an end to the official existence of a Member of the Council, and he was quite willing now that the noble Duke had drawn his attention to the matter, that the clause should be amended in Committee. He would be inclined to appoint the Members for life, leaving it to themselves to retire and draw their pensions when they felt no longer fit for the office.

The Duke of ARGYLL suggested that the evil before complained of, and to which he had referred in his previous remarks, would grow up again if the Members were appointed for life. He very much doubted whether any Member ought to retain the office for more than 15 years.

Motion *agreed to;* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Tuesday* next.

IRISH PEERAGE.

BILL PRESENTED. FIRST READING.

Lord INCHIQUIN, in presenting a Bill to amend the Law concerning the Peerage of Ireland, said, the measure was founded on that portion of the recommendations of the Select Committee of their Lordships' House on the Scotch and Irish Peerage which referred to the latter. As he understood it would be more convenient for their Lordships to discuss the matter on the second reading, he would now merely move that the Bill be read a first time.

Bill to amend the Law concerning the Peerage of Ireland, *presented* by The Lord Inchiquin; read 1ª; to be *printed;* and to be read 2ª on *Friday* the 31*st instant.* (No. 32.)

House adjourned at a quarter before Six o'clock, to Monday next, a quarter before Five o'clock.

HOUSE OF COMMONS,

Friday, 17th March, 1876.

MINUTES.]—Supply—*considered in Committee* Civil Service Estimates—r.p.
Public Bills — *Ordered* — *First Reading* — Salmon Fishery (Provisional Order) * [110]; Crab and Lobster Fisheries (Norfolk) * [109].
Committee—Open Spaces (Metropolitan District) * [86]—r.p.
Third Reading—County Palatine of Lancaster (Clerk of the Peace) * [53]; Burgesses (Scotland) * [48], and *passed.*

THE NATIONAL GALLERY—THE NEW BUILDINGS.—QUESTION.

Mr. COOPE asked the First Commissioner of Works, with a view to the reception of the works of art lately bequeathed to the Nation, Whether the galleries now in course of erection at the National Gallery are approaching completion?

Mr. W. H. SMITH, in reply, said, the new galleries were approaching completion very rapidly, and it was hoped that in the course of the present year the pictures bequeathed to the nation could be shown in the new building.

RUSSIA AND COREA.—QUESTION.

Sir CHARLES W. DILKE asked the Under Secretary of State for Foreign

Affairs, Whether there is any truth in the statement that the Russians had invaded the Corea?

Mr. BOURKE, in reply, said, that he had no information on the subject.

ELEMENTARY EDUCATION ACT—THE CARDIFF SCHOOL BOARD.

QUESTION.

Colonel STUART asked the Vice President of the Council, If it be true that, under an Order of the Education Department, a second School Board is being constituted, and a third contemplated, within the recently extended boundaries of the borough of Cardiff?

Viscount SANDON: A private Act was passed, Sir, last Session for the extension of the boundaries of the municipal borough of Cardiff, in which, without the cognizance of the Education Department, provision was made that the portions of several civil parishes added to the borough should only be included in the borough for municipal purposes, and should be excluded from the jurisdiction of the school board. Hence a great difficulty has arisen which we do not see how we are to meet as the law now stands. I can, however, assure my hon. and gallant Friend that no Order has been issued by the Department for a second school board within the municipal borough of Cardiff, nor has it any intention at present to erect a third board within the borough. I fear the case can only be dealt with by further legislation.

NAVY—THE DETACHED SQUADRON.

QUESTION.

Mr. HANBURY-TRACY asked the First Lord of the Admiralty, If the wages to the Seamen and Marines of the Flying Squadron in attendance on the Prince of Wales have been paid in English or Indian currency; and, if paid in Indian currency, whether it is his intention to compensate them for the loss thereby incurred?

Mr. HUNT: I understand that the wages of the seamen and marines of the Detached Squadron in attendance on the Prince of Wales have been paid partly in British and partly in Indian currency. The rate at which the rupee should be issued in such cases is under consideration.

SUPPLY—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

POST OFFICE—THE POSTAL TELEGRAPH DEPARTMENT.—RESOLUTION.

Mr. GOLDSMID, in rising to call attention to the results of the purchase of the Telegraphs by the Government; and to move—

> "That a Select Committee be appointed to inquire into the organization and management of the Telegraph Department of the Post Office,"

said: Mr. Speaker, in calling attention to the question of which I have given Notice, I wish it to be clearly understood that it is not my object to attack any individual Minister, or to say anything against the action of any particular Minister in the management of this department. I desire, as far as possible, to ask the House to consider for a few minutes the great questions of public policy which are involved in the management of the Telegraph department of the Post Office, and also to consider the results of the purchase of the telegraphs by the Government. I am also anxious that the House should understand that it is not my intention to discuss in any way the policy of the purchase in the original case. It is right that in a matter of this kind accomplished facts should be accepted, and that we should only consider what lies before us. In 1868 the question of the purchase of the telegraphs first arose. It was introduced under circumstances which I cannot but think were eminently remarkable. Late on a Wednesday afternoon, only a few minutes before the time fixed by the clock when no further opposed Business can be taken, the then Chancellor of the Exchequer asked for leave to introduce a Bill to enable the Government to treat for the purchase of the lines throughout the Kingdom. Sir, in a few observations which that right hon. Gentleman made on the occasion to which I am referring, he did not go into any financial arguments on the subject; he mainly discussed the principle with which, as I have said, I have nothing to do. In consequence of the lateness of the hour no remarks were made by anyone else. Now the Bill which that right hon. Gentleman then obtained leave to introduce did not provide for a monopoly. All that it did was to ask the House to empower the Government to treat with the various telegraph companies for the purchase of their lines. The Bill having been so introduced, it was discussed on the second reading, a few days later, and on that occasion the Chancellor of the Exchequer did give some few financial facts to the House. What I desire to ask the House to remember is this, that he did state on that occasion what he considered would be the cost of this purchase, although he stated it in a very indistinct manner. He said this—

> "They anticipated"—I am quoting from the third volume of *Hansard* for 1868, p. 1305—"a surplus revenue of £210,000 a-year from that source, and that would enable the Government, if the proposal were adopted, to pay the interest of the debt, reckoned at the rate of 3½ per cent, and to clear off the debt itself in 29 years. If the House would excuse him he would rather not enter fully into details with respect to the purchase at present. But he would say that, speaking roughly, it would take something near £4,000,000 or at all events between £3,000,000 and £4,000,000 for the purchase and the necessary extension of the lines. . . . . According to the best calculations they had been able to make the whole debt would be wiped out by the surplus income from the undertaking in 29 years. . . . . Of course, after the period he had specified, the Government would have a valuable property which would be of advantage for the further extension of the system or for the general revenue."

This statement, though not precise in fixing the maximum of the cost of the telegraphs, is sufficiently precise to have indicated to the House the position which the Government then took up. They thought that they would make the purchase on reasonable terms and that it would be eminently remunerative. I think that the words I have quoted justify the conclusion which I draw from them. Now, Sir, the House will ask upon what evidence the Chancellor of the Exchequer based this statement. The right hon. Gentleman gave no authority on the matter; but from the evidence before the Committee which was subsequently appointed, and from the Papers which were laid on the Table of the House, it is apparent that the figures were entirely and absolutely furnished by Mr. Scudamore, then the second Secretary in the office of the Postmaster General, to whom was entrusted the whole management of this business. The statement of the right hon. Gentleman was commented upon from a critical point of view, especially by the right hon. Gentleman the Member for the City of London (Mr. Goschen), and by my hon. Friend the Member for York (Mr. Leeman); but in consequence of the little information contained in that speech these Gentlemen did not possess the materials which would have enabled them fairly to discuss the question. The result was, that what I must call an eminently unsatisfactory debate took place, and that the second reading of the Bill was accepted upon the lines laid down by the right hon. Gentleman. The Bill was shortly afterwards referred to a Select Committee. The second reading took place on the 18th of June, 1868, and on the 23rd of June the Committee was nominated. Now the first, as it was then thought, reliable information which was obtained on the subject was furnished to that Committee. It becomes my duty to ask hon. Members for a moment to consider the statements which were laid before it. Mr. Scudamore was the first, the last, and the principal witness examined by that Committee. He appears to me to have absorbed the whole knowledge on the question. Upon his statements I believe the Government acted, and on the information consequently given by the Government to Parliament the House of Commons and the country adopted the purchase of the telegraphs. What were those statements? At Question 1816, p. 125 of the evidence of the Committee of 1868, I find that Mr. Scudamore said that the then number of messages which he would take as the initial figure was 7,500,000. He went on to show, in a number of statements which he laid before the Committee, that these messages would be increased from 7,500,000 to 11,650,000 within a very short time, partly in consequence of the increased business which would be induced by a uniform rate, and partly in consequence of the additional facilities which it was proposed to afford the public. He took as his basis those 11,650,000 messages in consequence of the increase which I have just mentioned, and stated to the Committee that they would produce a net income of £280,000. This was a clear and definite statement. This was the income which the Committee was informed would be produced under expected circumstances by the proposed purchase of the telegraphs. Now a word as to capital. What were the statements made with regard to capital? It appears that Mr. Scudamore's original estimate was that the lines could be purchased for £2,400,000. When he comes to be examined before the Select Committee, his statement varies, and I find that the figures have grown enormously since he prepared his first estimate. In answer to a Question which was put to him, he says—

> "I do not think that the purchase of all the interests, including those even 'which are not represented in the estimate,' (note this), would amount to £6,000,000."

The £2,400,000 of the original estimate, the £4,000,000 stated by the Chancellor of the Exchequer in his speech upon the second reading, had therefore grown by the time the Committee was sitting to £6,000,000. Upon that statement the right hon. Gentleman the Member for City of London, with an amount of prevision upon which I can only congratulate him, and say that it is unfortunate for the country that his views have been verified, asked—

> "Do you think that under any circumstances whatever, the £2,400,000 of your original estimate can run up to £6,000,000?" *Mr. Scudamore*—"Yes; I think it can." *Mr. Goschen*—"The value of the property seems to have risen upon you from £2,400,000 to £6,000,000." *Mr. Scudamore*—"My original estimate allowed nothing whatever for goodwill."

In answer to the next Question, Mr. Scudamore stated, that at the time the Bill was sent to a Select Committee, he raised his estimate from £2,400,000, given in his original estimate, to £3,000,000, which was in addition to the sum which would be required for extension. After that he said that the 'outside' figure, including these extensions, at which the capital account of the telegraphs would stand was £6,000,000. He repeated over and over again, although he was tested severely by many Members of the Select Committee, that the outside figure would be £6,000,000. Upon this statement I believe that the whole action of the Government was taken, although I think some caution on their part might have been exercised in putting implicit confidence in Mr. Scudamore's calculations, as his figures grew so enormously in the course of a very short time. There was one other question which was put to Mr. Scudamore which elicited from him a very remarkable reply. He said—

> "That this estimate of £6,000,000 was his deliberate opinion formed upon *data*, or, at all events, upon facts which carried conviction to his mind, and which he, as an important official of the Government, and a gentleman of considerable reputation, gave as the calculation, not hastily, but deliberately formed, upon which he risked his official character and reputation, and which he put as the outside, whilst the sum might be a good deal less."

Mr. Scudamore risked his official character and reputation upon the veracity and accuracy of this statement. It will become my duty to show what were the results under his own management of the capital account; but it is only fair to the hon. Member for Hull (Mr. Norwood) to say that after this statement was made, he pointed out to Mr. Scudamore that the country would look to him if the telegraphs were purchased to verify his prophecy. I will ask the House to consider for a moment the way in which he did verify his prophecy. The Committee reported to the House in favour of allowing the Government to proceed upon the lines which Mr. Scudamore laid down. Upon the Motion that the Bill should be committed, the Chancellor of the Exchequer admitted that on a previous occasion he had said, that—

> "Although he was unwilling to go into details of compensation, he believed that the expenditure required would be covered by £4,000,000."

He proceeded to say that—

> "Mr. Scudamore had given considerable attention to this matter, and now believed that £6,000,000 would be the outside figure, and his calculation had been submitted to and approved by Mr. Forster, the principal financial officer of the Treasury. It should be remembered that the amount he had mentioned was an outside figure."

Then he went on to say what the net results of the purchase would be—namely, that it would produce a net income of £358,000, and that this would be sufficient to pay, not only the interest on a capital of £6,000,000, but would be sufficient, even if the capital went up to £10,000,000, which he thought from the statement that was made was absolutely impossible. He wound up by saying—

> "He confidently recommended this Bill to the House, not only as one which would confer great advantages on commercial interests and conduce to the comfort of private families, but as one which would bear a searching examination in a financial point of view."

Upon that recommendation the Bill passed; and from that day to this, although the question of the Telegraph capital account has certainly come before the House, we can hardly say that it has had a complete and searching examination. It is for this, amongst several other reasons which I shall have to mention to the House, that I think it is high time that the House should be asked to consider the results of the purchase. The result was that, believing as the House and the country had every right to do, that the statements upon which the Government recommended this important measure to the House were based upon accurate figures, and believing, I may say at once, that Mr. Scudamore was a public official on whom perfect reliance could be placed, the House passed the Bill, and the Government were allowed to treat for the purchase of the lines. We must now look at the other side of the question. What have been the results of the purchase, as far as the capital account is concerned? The Secretary to the Treasury the other night, in answer to a Question which I ventured to put to him upon a Bill which he introduced into the House for a further sum of £500,000 on account of Telegraph capital, said that up to the present time the monies which had been voted amounted to £9,200,000. They had been authorized in three different and separate figures of respectively £7,000,000, £1,000,000, and £1,200,000, and therefore, including the amount in the Bill which will immediately become law, the sum expended up to the present time on capital account, which was not to exceed £6,000,000, has already exceeded £9,500,000. The House will ask, and ask with good reason, "Will that close the capital account?" By no means; we are a long way from closing the capital account. I have shown that £9,700,000 have been authorized on account of capital; but much more remains to be paid for. I am not speaking of extensions which may arise as a matter of necessity. I am speaking of obligations which were undertaken on behalf of the House and country when this Bill was passed in 1868. One of these obligations was to purchase the lines which belonged to the railway companies. Have these been purchased and paid for? They have been taken over, and in some few cases have been paid for; but in the great majority of cases, not only have they not been paid for, but even up to the present day it has not been settled how much has to be paid to the great railway companies. The Secretary to the Treasury, with that accuracy which characterizes him, gave us a list of the companies which are still to be settled with—namely, the North Eastern, the Midland, the joint lines of the Great Western, and the London and North Western, the London and South Western, the Manchester and Sheffield, and other smaller companies. But it may be asked, are the sums to be paid to the railway companies insignificant? They are nothing of the sort. One company, we have recently learned, the Lancashire and Yorkshire, is to receive £169,000 out of this £500,000 which we have just been voting; and, if we are to go upon the basis of the claims, the £700,000 which was fixed by Mr. Scudamore as the total amount to be paid to the railway companies for purchasing their interest, will be a great deal more than doubled when you finally close the capital account. I believe that this figure is well within the mark. I am well aware that the noble Lord can say that it is right that I should not in any way prejudice the cases which are now pending in many instances before the arbitrators as to the amounts to be paid by the Government to the railway companies. It is for this reason that I do not go into the details and calculations which I have prepared; but I believe that the total amount which will have to be paid to the railway companies will double the original estimate of £700,000. Will that close the capital account? Certainly not. We have only to refer to the figures and statements of that most useful of all Committees—the Committee of Public Accounts. This Committee has on more than one occasion investigated the expenditure on the capital account of the telegraphs, and has also pointed out, I think on many occasions, that very remarkable inaccuracies have crept into these accounts; certainly, it has been shown that the capital account and the income account were not properly separated. But I shall make a slight reference to that matter in the course of a few minutes. There is another authority on this question—namely, the Comptroller and Auditor General, and he has pointed out that nothing has been allowed by the Telegraph department, when stating their capital account, for the expenditure incurred on new offices. Now, since the year 1873, whenever a site has been purchased for a new post and telegraph office, one-third of the amount expended upon that site has been put down to the telegraph capital account; but before that date, nothing was put down. And, Sir, one would have thought that, if something was properly charged to the Telegraph capital account in respect of the purchase of new sites, something would also have been put down on account of the building upon those sites; but nothing of the sort has been done; not a penny, so far as I can find up to the present time, has been put down in the Telegraph capital account for the buildings that have been erected, many of them in consequence of the extension of the telegraph system. Now, what grounds have I for saying that many of them have been erected in consequence of the extension of the telegraph system? I do not think it is right for me to mention the names of those public officials who have given me the private information, which they said I might use; but I believe it will be borne out by the most accurate investigation, that any hon. Member may choose to make into the facts—namely, that whereas, in very many cases, the existing offices would have been amply sufficient for many years to carry on the business of the Postal, Money Order, and Savings Bank Departments, those offices, in consequence of the introduction of telegraphic wires and instruments, have been found insufficient, and these additional requirements have led to the purchase of new sites, and to the erection of new buildings upon these sites, long before the time at which otherwise they would have been necessary. The consequence is, that a great portion of the outlay upon building, during the last few years, has been owing to the purchase of the telegraphs by the Government. But, in any case, something should be charged for these new buildings, when, even according to the admission of the Government, the telegraphs take up at least a third of the space; and I do, therefore, maintain that this capital account cannot be considered as complete until something is put down for the accommodation the new buildings afford to the Telegraph Department. I will give an instance bearing upon this point. Every hon. Member knows that, opposite the Old Post Office, in St. Martins-le-Grand, we have built a new General Post Office; and though I am admitted to no secrets, still I do state, without fear of contradiction, that a very large part of that new building is now occupied by the Telegraph department of the Post Office, and yet nothing on account of that new building, which cost £500,000, has been put down to the Telegraph capital account. Therefore, I hold that I am justified in saying that your capital account is not complete, and cannot be complete, until you have put down something on account of the buildings erected to accommodate both the Post Office and the Telegraph Departments. I have, consequently, shown that your capital of £9,700,000 is not sufficient—that you have to add an additional amount for the payments made to the railway companies—that you have to add something on account of the years up to 1873-4, during which sites were not charged for —and that you have to add something on account of the buildings erected for the purposes of the telegraph service up to the present time. The result of the calculation which I have made, shows, I think, that if you add £9,700,000, the amount already paid, to the moderate sum of £1,300,000, on account of the three branches not yet provided for, you will, before you have a chance of closing your Telegraph capital account, have invested £11,000,000 in a business which, according to the outside estimate of a great public official was only to cost £6,000,000. Therefore, I think, as far as the Telegraph capital account is concerned, I have shown that there is reason for investigation into this matter, and that the Motion which I have put on the Paper is fully justified. Of course, my opinion may have little weight with the Government. I will, however, quote the authority of a public official, whose character is above all suspicion, and whose opinion is most valuable on these matters of account—I refer to the Comptroller and Auditor General. What does he say upon the subject? I look at the Appendix to the Appropriation Accounts for the year 1874-5, and I find at Page 370 that he makes the following remark:—

"It seems to me somewhat of an anomaly to divide the expenditure for 'sites' and new works and alterations between the postal and telegraph services; but to make no similar division of the expenditure incurred in building new post offices, which, it is presumed, are intended to accommodate both Post Office and Telegraph employés. It is obvious that, unless the whole of the expenditure incurred since the date of the acquisition of the telegraphs by the State in the purchase of sites, the erection of new post offices, and in the alterations, maintenance, and repair of existing offices, is adjusted between the postal and telegraph services, the profit and loss accounts annually submitted to Parliament, must, to a certain extent, be incorrect."

I have, therefore, the authority of this eminent public official for the statement I have submitted to the House. Now, Sir, I have shown the variation, I may say the extraordinary variation, between the outside estimates of this trusted public official, estimates made upon his official reputation, and the actual facts of the case; and perhaps the House will expect that I should just say why, in my opinion, this extraordinary variation has taken place. Sir, I attribute it to two principal causes. The first is, that Mr. Scudamore was most anxious to carry into effect the arrangements which he had in view, and consequently made agreements of so unbusiness like a character, that he launched into an expenditure which neither he himself, nor even the Chancellor of the Exchequer, ever contemplated; the Chancellor of the Exchequer thoroughly believing, as he did, the estimates of his subordinates. If I give any examples, I would remind the House of the celebrated case of Reuter's Telegraph Company. Everybody knows that this company received five or six times the real value of its business. Everybody knows, for it was a matter of common talk at the time, that, in order to conciliate opposition, Mr. Scudamore made an agreement based upon a very short period of the working of the company, and that working was, to a certain extent, fictitious, being created for the purpose of obtaining a large capital sum, when the company was purchased. There were other unbusinesslike agreements—for instance, those with the railway companies, and the hon. Member for York (Mr. Leeman), who appeared actively in the opposition to the scheme knows much on this point. It is a fact that one railway company was offered such an absurdly munificent figure, that its Chairman said they could not resist the temptation and withdrew its opposition. When you have a great public official making agreements of that sort, I do not think it is difficult for the House to see what the result of such agreements must be. I desire to speak with all respect of the Civil Service of this country, for it is a service which performs very great public duties, and often under very harrassing circumstances; and it is no doubt, a natural and proper feeling on the part of the Civil Service, to desire to expand the area of its operations as widely as possible. But I must say that the proposal in favour of the purchase of the telegraphs was fostered and promoted in every way by Mr. Scudamore, by many other public officials, and also by the Public Press. It was thought that a great variety of advantages would accrue from the adoption of such a proposal; and the result was, that the House was rather led into the approval of the purchase without carefully examining the *data* upon which the proposal was founded. For the House and the country had no reason then for disbelieving the statements of Mr. Scudamore, which were the only reliable information furnished to them. It is perfectly obvious to my mind, that agreements made in so unbusinesslike a manner, could not but lead to the results which I have indicated. There would have been a proper method for making such a purchase, if it had been desired. Before the proposal was made to Parliament, the companies should have been approached in this way—"If you are inclined to sell your business on reasonable terms, the Government may be disposed to purchase it, but not otherwise." I have authority for saying that, had that course been adopted, at least one company, which got a splendid price for its business, would have accepted 40 per cent less than the amount they actually received. But when the company found that money was being thrown about in this way, and that such a river Pactolus was set flowing, they willingly went in for a considerable share. Now, Sir, I think I have shown, under this most important head, that there is abundant reason for an inquiry. I now want to refer to the general mismanagement of the capital account. It appears from various Reports, and especially those of the Committee of Public Accounts in the year 1873, that it was impossible to obtain any Telegraph capital account. That Committee reported that—

> "The accounts under the head of the telegraph service had been much disturbed by their incomplete condition, as to separation of capital from current expenditure; and they were then informed," (that is to say, they were informed in 1872) "that a statement of capital expenditure was in course of preparation, and would be laid before Parliament during the Session of 1872. To the accounts now before them," the Committee went on to say, "the same observations apply, and the Committee are again informed by Mr. Scudamore, that the statement is still incomplete, that he hopes shortly to be able to show all that has been done down to the close of February, and to close the capital account on the 31st of March next (namely, 1873), except with reference to certain payments to the railway companies."

Sir, I am quite sure that the capital account was not closed. Now, the Comptroller and Auditor General goes on to observe to the Committee, that £644,000 had been transferred from the Telegraph Vote to the capital amount. That irregularity was a very serious one. The Committee expressed its opinion as to the wholesale expenditure of the Post Office balances in anticipation of the Vote, and proceeded to say that—

> "The Post Office would appear to have the uncontrolled power of dealing with balances, to the extent probably of £1,000,000 in excess of its legitimate requirements."

They point out that the check of the Audit Office must be imperfect, if not nugatory: that the position of the Postmaster General is compromised, if the Secretary, in his office can carry on such enormous operations by means of moneys for which he, as chief, is liable to account to the public, and that the control of the Treasury must be practically *nil.* In the Second Report of this Committee for the year 1873, after further investigation, they show that the unauthorized advances, thus made out of balances, had amounted to £890,000, and that these monies had been mainly drawn from three sources: (1), Money Order balances; (2), Post Office Savings Bank balances; and (3), revenue receipts proper. And the principal results of this investigation, on the part of the Committee of Public Accounts, was that a Motion was brought before the House on the 29th of July, 1873, by the right hon. Gentleman who now fills the office of Secretary of State for the Home Department. Sir, what were the terms of that Motion?—

Mr. Goldsmid

> "That this House, having considered the Reports of the Select Committee on Public Accounts, records its disapproval of the conduct of the Post Office in respect of the misappropriation of balances therein mentioned; and is of opinion that the control of the Treasury over the Post Office, as a revenue department, having proved inadequate for the earlier detection and rectification of such irregularities, requires to be more watchfully exercised."

That Resolution contained very grave charges. To it was moved an Amendment, which I think contained very much the same. That Amendment came from the hon. Baronet the Member for Maidstone (Sir John Lubbock), and it ran thus—

> "That this House regrets to find from the Reports of the Committee on Public Accounts, that the Post Office revenue and Savings Bank balances have been largely employed for the purposes of Telegraph capital expenditure, without the authority of Parliament, and is of opinion that it is the duty of the Government to take effectual measures to prevent the recurrence of such a proceeding."

That Amendment was carried; but I think the House will see that the statement then made by Mr. Bernal Osborne, the Member for Waterford in those days, is a very true one—namely, that the difference between the original Resolution and the Amendment, was exactly the difference between "Tweedledum" and "Tweedledee." Sir, it is rare for the House to pass such a reflection upon the management of any public Department of the State, and it is a matter of congratulation that it is so rare; but if there was one result beyond all others, which ought to have come from such a Resolution being adopted by the House, it should have been this—that Mr. Scudamore, who had the management of this department, and whose conduct of it was certainly reflected upon most severely in the Resolution, as well as in the statements of the hon. Gentlemen who addressed the House on that occasion, should have shown the greatest care in his subsequent management. But I am sorry to say, that I cannot find that that care was exercised in his subsequent management of the department; for, on turning to the Report of the Committee of Public Accounts for the following year—namely, 1874, I find it stated that there was a deficit in the Telegraph department of the Post Office of £204,900, showing that there had been no greater care exercised in the management of the department at any rate, with regard to the expenditure. The Committee state, with reference to the capital account, that

> "Examination of the capital account, as well as of the Post Office Vote, presents in a stronger light the long course of irregularities on the part of the Post Office in its various branches. Your Committee can only express the hope that an era of greater regularity on the part of the Post Office, and of vigilance and strict supervision in other quarters has been initiated."

Now, Sir, I have stated that, in the following year, there was a deficit of about £204,900, which was voted for the Telegraph department for the year ending March, 1874. It may be said that that is the usual course of business in this country; but I beg to assure the House—and I am happy to be able to say it—that it is not the usual course of business. I look at the Reports, with regard to other great public Departments of the State, and what do I find? I find that, for the Treasury Department—which is, perhaps, the most comprehensive of all public Departments—the very modest sum of £33 had been voted as the deficit of that year; that in the Board of Trade Department the deficit was £875; in the Diplomatic Service, £885; and in the Customs, £10,300; while, as I have said, in the Telegraph department, the deficit amounted to £204,900. Again, Sir, turning to the First Report of the Committee of Public Accounts, of the 19th of March, 1875, what do I find? Once more a large deficit for the telegraph service of £109,000, showing that the management—or, rather, the mismanagement—of the Telegraph department was conducted, more or less, in the same style as before. And you must remember that, all this time, Mr. Scudamore was the responsible officer. It is all very well to say, that the Treasury and that the Postmaster General must look after these things. So they ought, and I believe they have endeavoured to do so; but if you have a responsible public servant you cannot be always interfering with him; and Mr. Scudamore said, if he was constantly interfered with he would not be able to carry on the service. But I think I have shown that, at least, precautions ought to have been taken by Mr. Scudamore after the proceedings of 1873, to which I have called the attention of the House. I do not, however, find that any precautions were taken, and, therefore, I maintain there was wanting, in the management of the department, that system and order which constitute the life and soul of all business. So much for that point. The next matter, which comes under review, is of considerable importance—What were the estimates of receipts and expenditure which really induced the purchase? Now, the Committee of Public Accounts recommended more careful Treasury supervision. The Treasury—I wish to do that Department full justice—has endeavoured to do all in its power to carry that recommendation into effect. I believe one result of it was, that, in the year 1874, Mr. Blackwood, a very useful public servant was appointed Financial Secretary to the Post Office; but at the same time I do think that the light of public opinion, and still more the searching investiga- of a Parliamentary Committee, would do much not only to strengthen the Treasury, but also, I fully believe, to enable the Postmaster General to introduce necessary reforms into the administration of his Department. In the course of a very few minutes, I think I shall be able to show in what direction these reforms ought to be made. Before the Select Committee of 1868 a large number of witnesses were examined. One gentleman, Mr. Allan—a gentleman of very considerable reputation as a civil engineer—stated to the Committee this—That decidedly the Government could work the telegraph system "much more efficiently" and "much more cheaply" than any private company. Now, Sir, I do not want the House to go by Mr. Allan's testimony alone. In the course of this argument I have endeavoured to found all I have had to say on Mr. Scudamore's own words; because, if I am bringing charges against that gentleman, I think that his own testimony is the best evidence that I can adduce. What did Mr. Scudamore say? He said that he could affect an immediate saving of £130,000 a-year upon the working by the companies. He stated that he assumed his initial number of telegrams at 7,500,000, which would be almost immediately increased to 11,650,000, by reductions in rates and other causes; and he estimated that the total annual income would be £680,000 a-year. He went on to say, that he reduced the expenditure by £55,000 as the lowest amount he could save by amalgamation, and proceeded to show that, if his anticipations of increase of business were realized, "the net profit would be" £350,000. The statement is repeated, over and over again, that the net profit would be £350,000 upon an annual number of messages of 11,650,000. But, Sir, he did not wish to take that figure; he would take it at the worst; and taken at the worse, without increase, he said it would be £203,000, the mean between which figure and the £350,000 he takes as his profit—namely, £280,000, a sum which, of course, I need not tell the House would have paid interest on his capital of £6,000,000, the outside figure, and left a large margin. I have shown to the House the error made in his capital account; I will now point out the error in his profit account. Mr. Scudamore is asked (Question 1,900)—

> "'You have made your calculations with a view to show the positive certainty of this experiment being a safe one?' 'Yes; I wanted the maximum estimate to be a moderate estimate. I think the minimum estimate is an impossible one.' The minimum estimate is £203,000. 'My object has been to convince the Committee that they may, with almost entire certainty, rely upon a net revenue of from £200,000 to £360,000, the mean of which is £280,000.'"

Then, directly afterwards, he is asked (Question 2,441)—

> "'You have a strong opinion that the amount will not be exceeded, and that you can go up to the number of 11,000,000 messages, and carry out your views as regards the increase of business without exceeding the annual expenditure of £379,000'—that being the figure he gave. His answer is, 'Yes, you may take it decidedly as my opinion, that the more business we get the less in proportion will be our expense.'"

And on being asked what the cost of increased business was (Question 1,867), Mr. Scudamore said—

> "It is the experience of all people who have worked a large business of this kind that the cost does not by any means increase in proportion to the increase of business."

In that view I entirely agree. Mr. Scudamore further says that he has shown that the Old Electric Telegraph Company did an increased business of 105 per cent at a cost of 33 per cent. But in order that his figures may be on the safe side he has taken that an increased business of 55 per cent would be done at an increased cost of 33 per cent. He, therefore, took it at about 100 per cent against himself as compared with the old companies. Now, if I turn to the Budget Speech of 1875, I find that the amount received for telegrams for the year ending March, 1875, was £1,200,000; and on referring to the Appropriation Accounts for that year, I find that the expenditure was £1,075,000, which leaves a balance of £45,000 as the net profit of the year, without paying any interest at all on the enormous capital account. But how comes it that the expenditure so far exceeds the amount of £338,000, calculated by Mr. Scudamore as the cost of working 11,650,000 messages? The reason for an increase of cost is naturally the increase from 11,650,000 messages, which Mr. Scudamore had calculated for 1870, to about 19,000,000 messages. But if you take Mr. Scudamore's estimate of the cost of doing increased business—namely, 33 per cent for an increase of 55 per cent of business, we ought to add 33 per cent for the increase of business beyond 11,650,000 messages (namely, £160,000) to £380,000, which makes the proper cost according to the figures which "he took against himself" of doing a business of 19,000,000 messages, £550,000. That sum, according to his own calculation, is the proper cost of 19,000,000 messages, but the cost was £1,075,000, exactly double the amount which he calculated. I would remark, also, that the actual receipts of the telegraph service for the year (£1,120,000) ought to have given, according to Mr. Scudamore's figures, the magnificent profit of £580,000 to pay interest on capital, and profit on business generally. I therefore think I have shown that, in the general administration, there is something radically wrong in the system set on foot by the gentleman to whom I have been obliged to refer so often. I will shortly conclude the observations which I have to make, but this point is so important that I beg to call the attention of the House to it for a few moments. The causes of this state of things will naturally strike the House as proper matters for investigation and consideration. What are the causes? I hold that they are to be looked for in the faulty general administration. I find that on this question some valuable information was given before the Committee of 1868. In December, 1871, the Comptroller and Auditor General called for a list of all persons, who not being in the employment of the telegraph companies at the time of their transfer to the Government, had since been appointed to the Post Office telegraph service. The list was not furnished until June 1873. Even then it was incomplete. Subsequently, in August, some further lists were sent in. This shows that the business of the office was not in the best order. What do I find in those lists? I find that 2,186 persons had been appointed since the telegraphs were given over to the Government, and that of the number so appointed, only 53 held Civil Service certificates. [Report of Committee of Public Accounts, 1874, Paragraph 95.] Thus there was a double irregularity—the irregularity of making this very large number of appointments, which number was totally unnecessary—and the irregularity of making them, against the established rules of the Civil Service, only 53, as I have said, having been appointed in accordance with these rules. What were the *data* given by Mr. Scudamore? He stated before the Committee of 1868, that the Post Office would employ only 1,528 clerks, and 1,283 messengers, to do a business of 11,000,000 of messages, whereas I find from the Parliamentary Return of 1870—only six months after the time of the transfer—there were employed in the Telegraph branch no less than 4,913 clerks, and 3,116 messengers—more than double the number stated by Mr. Scudamore—so that the staff of the telegraph branch, as compared with that of the companies, was more than doubled in the course of six months. [See Report of Treasury Committee, Page 2.] This simple fact explains much of the enormous expenditure. But this was not all, for Mr. Scudamore had increased the salaries of nearly all the employés. He moreover pensioned some of the servants of the old companies, who were well able to attend to the work, and appointed others it their place. I do not wish any members of the Civil Service to think that I am taking exception to their having accepted appointments, for it would not be just to a great public service to do so. I am not attacking the Civil Service generally, but I am attacking the administration that has been carried on in this reckless manner, regardless of the public expenditure. The next statement which I am about to make, is fully borne out by the facts. The old companies had to work under the difficulty of competition. The Government by the Act of 1869 obtained a monopoly. Now a business carried on as a monopoly, ought to require less expenditure than a business that is open to competition. And if there had been any mistake in the calculations of Mr. Scudamore, it should have been rather in favour of than against economy. But I have shown that the expenditure has been double the amount at which Mr. Scudamore had put it. I have given as one cause of the increased expenditure, the employment of such an extraordinory number of persons. The hon. Member who is to second me, and many other hon. Members, will be able to speak as to the general maladministration of the department, and therefore I will not go more fully into it. But I wish to call attention to the question of maintenance. I dare say that a large number of the Members of the House know that a portion of the telegraph was worked by the Royal Engineers. Now, what do I find with respect to the cost of maintenance, the expenditure for which has been very heavy. I take the following statements from the Civil Service Estimates of 1875-6. The total mileage of postal telegraph wire maintained and under supervision was 111,500 miles. Of this the division maintained by the Royal Engineers contained 9,718 miles, or one-eleventh of the whole. The total cost of salaries and wages, excluding the chief engineer and factories, was £99,720. Of this sum the Royal Engineers received £4,259, or one-twenty-third. In other words the Royal Engineers maintained one-eleventh of the system at one-twenty-third of the cost. I do not know whether the noble Lord the Postmaster General will be able to contradict these figures. I find that the Committee appointed by the Treasury last Session to investigate the telegraph business, appears to have arrived at the conclusion that it has been a great mistake to establish this enormous staff for maintenance, when it could have been done at a much smaller cost by the Royal Engineers. In other branches of the work I could show that generally the expenditure was not regulated with that economy which is necessary in the management of a great public Department. The House may perhaps like to know what is the cost in other cases of doing telegraphic business. From figures which have been furnished to me from various companies, I find these facts. One company informs me that 470,000 messages were transmitted in one year at a cost of 40 per cent of the receipts, and that last year 1,400,000 were carried at a cost of 35 per cent of the receipts—that is to say, they trebled their business and decreased the percentage of cost by 5 per cent. I find that another company doubled its business at a cost of 31 per cent of its gross receipts, and that a third company works at a cost of 29 per cent. And I am informed that these companies can undertake to do a much larger business without practically adding to their working expenses. These facts show that there is something wrong in the Telegraph department, and that my allegation of want of organizing and administrative power, and of extravagance in general administration is fully borne out; and the more so if you compare the advantages of monopoly, as against the difficulty of carrying on a business in competition. The difficulty in which the department is placed is this —with a large capital, you have involved yourselves in a position from which you cannot retreat. I believe that the appointment of the Committee for which I ask will assist the department and the Postmaster General in getting out of the difficulty in which they now stand. There is one other subject to which, before I sit down, I wish to allude, and I am sure I am very grateful to hon. Members for the attention which they have paid to the statements I have submitted to the House. But I wish to ask what are the excuses offered by the department for the mismanagement and disorder which are admitted to exist both by Mr. Scudamore and the department. Mr. Scudamore is the authority to which I at once appeal. He points, over and over again, to the novelty of the service and to the extraordinary increase of business. About the novelty of the service there can be no doubt. But there must be a limit to the length of time during which that can be urged. Now is the increase of business a justifiable excuse? I say, certainly not; the only reason why the increase of business would be a justifiable excuse, would be if the increase had been far beyond Mr. Scudamore's calculation. But he took as his figures 11,600,000 messages, and calculated on an annual increase of 10 per cent, which he might fairly do, and the 19,000,000 messages last year correspond with the number he expected. I therefore say that the increase of business is not a fair excuse. In a letter written by Mr. Scudamore in June, 1871, to the Chancellor of the Exchequer, he says he has been looking in vain for such certain permanent *data* as would enable him to frame a scheme for a permanent establishment, but he goes on to say, "matters are now fast settling down." If, then, the novelty of the service and the want of reliable *data* were valid excuses in 1871, they are not excuses which could be offered in 1874 or 1875. Mr. Scudamore, on another occasion, when asked a Question on the subject, said that the result of the acquisition of the telegraphs by the Government, and the reduced tariff was—

> "an immediate increase in the number of telegraphic messages, and in the demand for telegraphic accommodation of all kinds," and "the pressure of the two demands on the department was such that it must have broken down if it had even attempted to conform to routine."

[2nd Report of Public Accounts Committee, 1873, Page 99.] This was an extraordinary phrase for a public official to make use of. Similar admissions are made by the Postmaster General in his Memorandum of last year. Thus he says—

> "I will only add with regard to the remarks of the Committee upon the discrepancy between receipts and expenditure in the past, that I have every reason to hope that the difficulty inseparable from the first few years of a new service having now been surmounted, the recurrence of such discrepancies will be impossible.

The statement, made by the Postmaster General in 1875, shows that the facts which I have brought forward are correct, and consequently that the increase of business is not sufficient to account for the irregularity which exists. But is the excuse of the extraordinary increase of business valid? I will show that it is not, as, since as I have pointed out before, Mr. Scudamore calculated on beginning with 11,650,000 messages in 1870—which number was not exceeded —and as the messages had increased to 14,000,000 in 1872, that gives only an increase of 10 per cent per annum, which was below the average increase of previous years, and the number of 19,000,000 carried last year only brings up the number to the same average increase of about 10 per cent per annum. I have pointed out that the real reason is the confusion of administration, the unnecessary number of new employés, and the want of the power of organization, and the irregularity of the department, the result of which was not only to cause confusion in the department itself, but also in the general administration of the Post Office. In 1873 the Committee of Public Accounts called attention to this matter, and said that—

> "they desire to express their regret that they had found it their duty to make on this, as on a former occasion, unfavourable remarks on the administration of the Post Office, and on the proceedings of Mr. Scudamore in connection therewith. The Committee cannot blink or ignore the fact, that the financial operations by which the telegraph service has been carried on from the beginning, and especially during the last 12 months, are destructive to all control by Parliament or the executive Government over public expenditure, and would be of disastrous precedent if condoned or unmarked by this expression of disapproval."

[2nd Report, 1873, Page 7.] In 1874, the same Committee say—

> "They can only express a hope that an era of greater regularity on the part of the Post Office, and of vigilance and strict supervision in other quarters has been initiated."

The Report of the Committee for 1875 contains a general statement, and shows that the same excuses are still offered for the continuance of many of the irregularities. Therefore I am justified in saying that the excuses are not sufficient, and that the irregularities are the real causes of the confusion. The Committee of the Treasury have pointed out many of these things, and the Postmaster General in his Report on the 23rd of December last, refers to the same subject. Another excuse given is the cost of superannuation of the servants of the old companies. But the estimates show that that is really a very small amount — namely, only a few thousands a-year. Now I should like to know who wrote this letter of the Postmaster General. It must almost have been impossible for the Postmaster General to investigate all these details himself, and I should imagine that the Report was prepared for him in the office, and submitted to him for his signature in the usual way. I should like to know who wrote it. Mr. Scudamore left the public service last year. I have heard various names suggested. Was it Mr. Patey? Now, I am informed that Mr. Patey is a young man of great ability, and well deserving of public confidence; but I should like to know whether his position and standing in the office justify such a responsibility being thrown upon him? I should also like to know whether the Telegraph department is going to have a permanent head under the Postmaster General, or who is to be considered the administrator. We cannot expect any official to attend to all kinds of business in the Post Office. As the Postmaster General has his duties to attend to in this House, and has the supervision of the Office, it is impossible for him to undertake the general administration of the Telegraph department. It is therefore important for us to know to whom we are to look for the general management of the department, and I hope we shall receive some information on the point, because I am sure that the Postmaster General with that generosity which always characterizes the heads of Departments will, if there is any fault in the matter, take the fault on his own shoulders, and not shield himself by any fault finding with others. I think I am justified in saying that the whole management and administration of the Telegraph department of the Post Office is one which interests the House and the country, especially when I show that the department is not carried on economically and carefully. The Committee of the Treasury have made certain recommendations. They admit many of the points to which I have called attention, and so does the Postmaster General. But there is another portion of their statement with which I cannot concur. The Committee suggest that, in order to increase the revenue, a number of non-paying offices should be abolished. I do not think this would be a wise policy. In 1872 the number was 728. In 1874 it was 449. In 1875 it had decreased to 228. The fact that the number is thus gradually diminishing is a most important one, and consequently I trust that this recommendation will not be adopted. The next point to which the Committee calls attention is the employment of the Royal Engineers in the maintenance of the telegraph system. They say—

> "We would submit for consideration whether an economy might not be effected by extending the area of their duties. We have been very

much struck by the advantages which this system appears to offer. At the request of the War Office the Eastern district was allotted by the Telegraph Board to the Royal Engineers, who, under Major Webber, have the entire management of the maintenance of the telegraph system in that district, and who have also been extensively employed in the construction of new works. The total pay and allowances of the Royal Engineers employed under the Post Office are calculated so as to be about equal to the salaries of civilians employed in the same positions in other districts, so that the Telegraph branch saves, as will be seen by the figures in the Estimates, that part of the pay which is provided in the War Office estimate. The Post Office gains other advantages by the employment of the Royal Engineers. 1. They are entitled to no pension from the department. 2. Men in any degree inefficient or unsuited for the service can be removed, whereas civilians must be retained until their inefficiency or misconduct are such as to justify their dismissal. 3. Men not required can at any time be sent back to barracks and recalled for any press of work. 4. The Royal Engineers being under military discipline, there is no possibility of a strike."

Now the Postmaster General states that the allegation that there is greater economy in the employment of the Royal Engineers is incorrect, and that he proposes to discontinue their employment. Who is right in this matter? Next it is proposed by the Treasury Committee —and this is a matter of great public importance to the country—to "increase the tariff of the Press." I am sure the public would disapprove of the withdrawing of any facilities which have been granted to the Press for the public convenience. I think such a step would cause a great deal more harm and mischief than would be compensated for by any pecuniary gain that might accrue to the department. It has been suggested by some gentlemen having a thorough knowledge of the question that it might be right to charge for the cost of the extra clerks who do service at night in the sending of news. To that I do not think the newspapers would object. Then, Sir, there has been another proposal by the Committee—it is that you ought to withdraw free addresses; but I do not think that this House or the country would like that; for the chief arguments in favour of the transfer of the telegraphs to the State were the greater facilities that were to be afforded the public for the transmission of messages, and the greater uniformity of cost. It has also been proposed to charge 1*d*. a word; but that, too, is not popular with the country so far as I have been able to ascertain, as that would also involve a higher price being paid for telegrams. Again, it has been suggested that 6*d*. extra should be charged for messages dispatched between 8 in the evening and 8 in the morning, except Press messages, and 6*d*. on Sunday messages; but surely it would be very hard on the private and non-business portion of the community, who practically send the majority of these messages, to throw such an increased charge upon them. It would, in fact, be a step in a retrograde direction from the policy of 1868. Another suggestion has been to charge 3*d*. for every message handed in at the telegraph stations of a railway company. This, also, would be unfair, as in many a parish the only telegraph station is that at the railway, and the country round has been accustomed to the facilities which those stations afford. I take it, then, that no such proposal as that could be entertained. These are all wrong lines to work upon. You will not gain much money by the adoption of such retrograde proposals; and the little you do gain would be at the loss of popular favour. On the other hand, I have shown, I think, that the line on which the Treasury and the Post Office ought to work is to reduce the cost of administration and the expenditure of the department until the business is made profitable to the country. I am not one of those gloomy prophets who say that these errors can never be recovered. On the contrary, I wish to strengthen the hands of the Postmaster General in order to recover them; and I think, therefore, that a public investigation by a Committee of this House would be of very great service. The objection of the Postmaster General will probably be, that it will be inconvenient to have clerks waiting about to give evidence before the Committee; but his staff of employés is so abundant that I feel confident he will not miss the few gentlemen whose attendance will be required, and whilst the Committee is sitting it will relieve him of the difficulty of finding them something to do. But that is really a small objection when urged against a great public necessity; and I would venture to appeal to the patriotic feelings which I know animate the noble Lord the Postmaster General, and the right hon. Gentleman the Chancellor of the Exchequer, to rise above such considerations in a case where the public service is concerned. It appears to me that great good may be done by such an inquiry, because it will not only show the Government and the country how this difficulty may be got over; it will not only assist the Government in re-organizing a department which, in my opinion, eminently requires it; but, as I have shown, it will also guard and warn the country against accepting as perfectly accurate the estimates which are furnished them by public officials who desire to accomplish a particular object; those public officials, for instance, who are continually pressing the Government to enter into businesses that do not properly belong to the duties of government. I know I shall be told that I ought not to have said so much against Mr. Scudamore, seeing that he is out of the country at this moment; but I do not think that such a consideration as that ought to prevent a Member of the House of Commons, when he considers that the public service demands it, from exposing the evils which may exist in a great Department of the State; and if that Department happens to have been under the control and management of a man who has left the service, it is not my fault, or the fault of the Member who calls attention to the subject. It is for the very reason that Mr. Scudamore is absent that I have endeavoured to found my statements on this occasion, in every particular, upon the information given by that gentleman himself. If I had not done this, I might have laid myself fairly open to the charge that I suppose will be brought against me of assailing an absent man; under any circumstances, however, Mr. Scudamore could not have been here, in this House, to defend his administration. However, I will not say anything beyond this—that it appears to me to be a matter of great public importance that the country should know how far the results have justified the original calculations on which these purchases have been made; and these being the circumstances under which I have brought forward the Motion, I think the Government will be exercising a wise discretion, not only in the interest of the public service, but also with a view to the proposal of measures for the re-organization of the department, if they grant me the Committee for which I now venture to move.

COLONEL ALEXANDER, in seconding the Motion, said: In making the few observations which I trust the House will permit me to do, it is not my intention to follow the hon. Member for Rochester over the ground which he has travelled with so much ability. Whatever the benefits arising to the public from the transfer of the telegraphs to the State—and I do not deny that some benefits have certainly arisen—it cannot be doubted, I think, that in its financial aspect the measure has totally failed, and has disappointed the expectations of those who originally prognosticated its success. For although Mr. Scudamore said in the year 1871—and it is not my intention to make an attack upon him—

> "That he should be able to show that the financial results of the completed scheme would not be less favourable than those which he had always predicted,"

the noble Lord the Postmaster General, in the letter which he wrote in 1875, candidly admits "a lack of financial success." There is no doubt, I believe, that with the exception of the first two months after the transfer, there has been a deficit in every succeeding year, and that of a very serious character. And it is not difficult to understand how this excess of expenditure over revenue has arisen when, as has been pointed out by the hon. Gentleman opposite and by the Committee to which he has alluded, within six months of the transfer no less than three times the estimated number of clerks were employed by the Post Office Telegraph department, and two and a-half times the estimated number of messengers, and when we recollect that the cost of the single item of stationery, estimated at £26,000, amounted in one year to £49,000, we can easily understand from such facts as these how the proportion of working expenses to income was in 1874 and 1875 more than 96 per cent, according to the estimate of the Committee. But, passing from that part of the subject, which has already been so successfully treated by the hon. Member for Rochester, I would now say a few words with regard to the military part of the question, and in earnest deprecation of the withdrawal of the men of the Royal

Engineers from the Telegraphic department of the Post Office. The divergence of views on that subject between the Committee to which I have referred and the noble Lord the Postmaster General is remarkable; for while the Committee advocate the extension of the area over which the Royal Engineers were employed, the noble Lord says he is compelled to advocate their total withdrawal, and, curiously enough, both base their conclusions upon financial grounds. While the Committee say that by the employment of the soldiers the Post Office saves that part of the pay which is accounted for and paid by the War Office, the noble Lord, on the other hand, says that he expects to save by the withdrawal of the Royal Engineers about £2,500 a-year; and he then proceeds to set forth the grounds on which his calculations are based. He states that the present engineering staff of the Telegraphic department of the Post Office is susceptible of reduction. It may be urged in behalf of the Post Office that at the time of the transfer they were obliged to take over the greater part of the staffs of the old Companies; but I believe I am within the mark when I state that since that time the number of civilians employed in this department has been more than doubled. Then the noble Lord goes on to say in this letter—

> "The Royal Engineers can at any time return to the War Office; and as all that would be required to replace them would be a few additional line men, nearly two-thirds of their allowances, or about £2,500 a-year, would be saved."

But I am entitled to ask the noble Lord why he did not have recourse to the Royal Engineers, who under the original arrangement were liable to be dismissed at one month's notice without compensation and without pension, instead of employing additional civilians, who form, as he himself admits, a permanent burden on the State? The noble Lord pointed out that they might be dismissed at any time and sent back to the War Office, and that all that would be required to replace them were a few additional Line men. But the circumstances which have occurred during the last few days must, I think, have considerably helped to open the eyes of the Post Office authorities. The storms which have recently taken place in various parts of England have totally interrupted the telegraphic communication in many districts; and to whom did the Post Office look in the extremity of their distress? Not to their own superabundant engineering staff; not to the additional line men to whom the noble Lord refers in his letter; but to the despised Royal Engineers, who had to be brought in hot haste from Chatham, from Aldershot, and other places to perform duties which this superabundant staff of the engineering department of the Post Office found themselves incompetent to perform. Well, Sir, I ask whether that circumstance, when taken in connection with the statement of the noble Lord that "the Royal Engineers can at any time return to the War Office," proves the great elasticity of that force, and that it is capable, at a moment's notice, under various circumstances, of almost indefinite extension or contraction? Within a period of five years the number of Royal Engineers employed in the Post Office has fluctuated between a maximum of 167 and a minimum of 61, and some of that number have from time to time been transferred to the torpedo company or sent to Ashantee and to Persia for the purpose of laying cables there. On the other hand, they may be dismissed for inefficiency or misconduct, and to this point the Treasury Committee in their Report draw special attention. They say that whereas the Royal Engineer can be dismissed at a moment's notice, and especially for inefficiency or misconduct, it is necessary to retain the services of the civilians "until their inefficiency or misconduct are such as to justify their dismissal." They, then, in addition to the advantages which I have already enumerated, lay stress on the circumstance that the Royal Engineers can be dismissed without compensation or becoming entitled to a pension, and that being under military discipline there is no possibility of a strike on their part. Now, I would ask the noble Lord the Postmaster General to remember that, only a few years ago, an important strike took place among the Post Office officials, and that the difficulty was got over in great measure by having recourse to the Royal Engineers. But this is not a mere Post Office or departmental question. I regard it as, to a great extent, a military—I had almost said an Imperial—question; because we find in Mr. Scudamore's Report of 1871 that, when the arrangement was first made for the employment of the Royal Engineers in the telegraphic department of the Post Office, he stated that it was made expressly at the desire of the Secretary of State for War. In the Report of the Treasury Committee also, which sat last year and inquired into this subject, it is stated that it was at the request of the War Office that the eastern district was allotted by the telegraph branch to the Royal Engineers under Major Webber. Now these statements certainly appear to be strangely inconsistent with the paragraph in the noble Lord's letter; in which he says that he is confirmed in the opinion that no great benefit can be derived from the employment of so small a body of men of the Royal Engineers permanently on telegraphic engineering by the tenour of recent communications from the Secretary of State for War. I shall be curious to see what those communications can be which seem to be so strangely at variance with the opinions which have hitherto emanated from the War Office on the subject. I think, however, that to those who can read "between the lines" the apparent or seeming inconsistency of the War Office will at once disappear. I would ask whether the pith and essence of that sentence do not lie in the word "small?" Whether the objection does not point, not so much to the employment of soldiers as soldiers, as to the employment of so small a body of soldiers? Unless this system is extended; if it remains as it is, almost in its infancy, it is of no use at all; and if it is to do good, it is absolutely necessary that it should be largely extended, as the Committee recommended. I would also ask whether Lord Cardwell, when Secretary of State for War, did not express satisfaction at the results of the system so far as it had gone; and whether he did not likewise recommend the enlistment into the Royal Engineers of boys who had become too old to serve as messengers—a most important and useful suggestion? Of those boys, Mr. Scudamore says, in his Report of 1871, that the small amount of drill to which they had been subjected had greatly improved their mode of walking, made them more sharp and active, and that although they had sometimes amused themselves with putting mice in the pneumatic tubes, still their conduct on the whole was satisfactory. At a time when we hear so much about the difficulty of obtaining recruits and the advantage of drilling boys, I think we ought not to neglect so promising and valuable a material. The Committee of the Treasury go on to remark that—

> "The desirability so strongly urged by the War Office of obtaining a certain number of soldiers trained to telegraph work in the event of war would render a more extensive employment of the Royal Engineers a measure greatly conducive to the public interest."

The other day I read a prize essay on the Royal Engineers, written by Major Fraser in 1875, in which the author says—

> "That the tactical use of the field telegraph as applied to a position is to keep a commander acquainted with the state of things all along the line, to enable him to direct his reserves and judge the moment for making a counter attack."

And I think this advantage is too obvious to need dilating upon. Only let the House conceive for a moment what might ensue from the mistake of a single word omitted or misinterpreted by the employment of a person in the service who was incompetent or perhaps only moderately competent: why, it might result in the ruin of an Army. I will instance what I mean by an illustration which I have taken from the Report of Mr. Scudamore, who mentions the circumstance that on one occasion a gentleman in London telegraphed to his brother in the country to send a "hack" to meet him at a station. It appears that four dots represent the letter "h;" that the instrument only sent three, and that consequently when the gentleman arrived at the station he found waiting for him there not a "hack" but a sack; the three dots representing the letter "s." It must have been small consolation to that gentleman to be informed that the mistake could not have happened if he had asked for a horse instead of a hack, because the clerk could not have made anything else than horse out of the letters sorse. In another instance the message was "send rails 10 foot lengths;" it was translated into "in" foot lengths." In fact, Mr. Scudamore is forced to admit that the most annoying and irritating blunders are frequently committed; and I need hardly point out to the House the fact that blunders which, in time of peace, are not inaptly termed "irritating and annoying," may become in time of war ruinous or disastrous. But it may be said—"You have already a school of military engineering at Chatham, where our soldiers can be taught the theory of telegraphy." That is, no doubt, all very well, so far as it goes; but the art of telegraphy, like the art of conversing in a foreign language, can only be acquired by practical as well as theoretical instruction. The only real objection to the employment of the Royal Engineers in the Telegraphic department was raised by the War Office Committee; but it was raised by them only to be at once removed. The Committee of the Treasury say in their Report—

> "It has been urged as an objection that in time of war the telegraph service in England would find itself suddenly denuded of a large portion of its staff. But this we do not believe would be the case. It would be the policy of the War Office to be continually passing men through the Telegraph department, so as to have always in the ranks of the Royal Engineers a large proportion of men trained to the work, and though in time of war it might possibly be found that the men would be more quickly passed through the school, it would always be necessary for their own interest that the War Office should keep the telegraph district worked by the Royal Engineers in England in the highest state of efficiency, in order to serve as a depôt from which men would from time to time be drafted to the seat of war. After a few years there will also be a number of pensioned Royal Engineers who, having formerly served under the Post Office, would be acquainted with the work and could fill the places of those who might be ordered on foreign service or sent to the seat of war."

In short, if the extension recommended by the Committee were to take place you might have a Reserve of telegraphists just as you have any other Reserve; and I think that the right hon. Gentleman the Secretary for War must acknowledge that such a Reserve is important. In spite of all these considerations, however, and in spite of the assertion of Mr. Scudamore that he sees no objection to, but rather encourages, the employment of the Royal Engineers in the Telegraphic department of the Post Office alike upon financial, commercial and Imperial grounds, we find the noble Lord the Postmaster General writing in these terms—

> "In the event, however, of its being considered desirable, upon grounds of Imperial policy, that the postal telegraph service should be used as a school of instruction in telegraphy for the Royal Engineers;"—

as if there could be any doubt whatever on the point that men should be trained to do in time of peace what they would be certainly called upon to perform in time of war. Again, the noble Lord the Postmaster General speaks of its being wrong to expend so large a sum annually for an object so foreign to that for which the purchase of the telegraphs by the State was undertaken; and what I wish the House to say is, that they do not intend that this object shall be any longer foreign to the purposes for which the telegraphs were acquired by the State; that this question shall no longer be treated as a departmental, but as an Imperial one; and that the House will do all that lies in its power to dispel the prejudice which closes the doors and bars every branch of the public service against the soldier, and treats him as the outcast and pariah of society. If the strength of a chain is the strength of its weakest link, I would point out to the right hon. Gentleman the Secretary for War that, if this or any other link in the chain of our military system be weak, not even the admirable proposals which he has made this year for ameliorating the condition and increasing the efficiency of the Army will be successful, but rather, perforce, ineffectual. If, in conclusion, I might be allowed respectfully to address one word to the noble Lord the Postmaster General, it would be to tell him that he may obtain for himself a name which no other Postmaster General has yet obtained, if he would for once emancipate himself from the routine and traditions of his Department, and heartily co-operate with the Secretary of State for War in bringing the excellent work in which that right hon. Gentleman is now engaged to a successful and prosperous issue.

Amendment proposed,

> To leave out from the word "That" to the end of the Question, in order to add the words "a Select Committee be appointed to inquire into the organisation and management of the Telegraph Department of the Post Office,"—(*Mr. Goldsmid,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. NORWOOD said, that as he took considerable interest in the transfer of the telegraphs to the State, and served as a Member of the Committee of 1868, he was desirous of addressing the House. His hon. Friend the Member for Rochester (Mr. Goldsmid) had detailed with great exactitude the history of the transaction, which he must admit had, from a financial point of view, been very disappointing. The Committee of 1868, which comprised several independent Members of the House, criticized closely the evidence laid before it upon the authority of Mr. Scudamore. He should not enter into the details of the excess of expenditure, which they all knew was great. There were several causes for the excess. He thought that the railways and the owners of the telegraphs were rapacious, and the Government went into the transaction very precipitately, and without sufficient business care. The matter was brought before the House late in the Session. The Committee sat until the middle of July before their Report was made. If they had not ceased their labours when they did it would have been impossible to have dealt with the matter during that Session at all. His hon. Friend had scarcely done justice to the other side of the question. It was quite true that the cost of our telegraphic system had been very excessive; in fact, nearly twice as much as they had any right to expect, from the information laid before them; but the argument comparing the expenditure of the Government in the management of their telegraph system at the present day to that of the private companies which possessed the telegraphs before 1868, was not a correct or a fair one. The service performed by the Government was beyond comparison more important than ever performed by the private companies. Not only was the cost of the Government telegram much less than that of the private companies, but the Government had placed, in almost every village of importance, this inestimable boon of the telegraph, which certainly did not exist under the old *régime*. There could be no doubt that Mr. Scudamore was rash in his statements and his data; but it must be remembered that it was not a matter which strictly originated with Mr. Scudamore. It was a task which he had been requested to perform by his superiors, and he took it up with reluctance. Looking to the fact that he was unfortunately no longer in the public service or in this country, he thought that his hon. Friend laid too much stress upon the blame attaching to Mr. Scudamore. He (Mr. Norwood) believed Mr. Scudamore to be a man of great ability, who certainly devoted himself to this question to the injury of his health and professional prospects, and he, for one, very much regretted, for the sake of the country and for the sake of Mr. Scudamore himself, that the financial results of the transaction had proved to be so unfortunate. Looking at the future, he did not think that with all the great excessive expenditure the country had much reason to find fault. If they placed to revenue those charges which ought to be borne by revenue, and not those which ought to be placed to capital, he thought that they would find that the dead loss to this country had not averaged £100,000 a-year. Looking at the benefit which every individual of this country had received, and which had been derived owing to the increased information obtained from the papers, which were now able to furnish twice as much telegraphic information, he did not think that all these advantages had been dearly purchased by the deficit which now existed. One cause of the excess of expenditure had been the immense advance which had taken place in the cost of material, for, from 1870 downwards, the price of metal, wood, and other articles, entering largely into the expenditure, had enormously increased, and beyond what any one could have anticipated. There had been a Report from the Treasury, and a criticism upon that Report from the Postmaster General. He read that criticism with great pleasure, finding that on the whole it took a very sensible view of the case. The remedy was not to be found in an increase of rates. The true course was that pointed out by his hon. Friend at the close of his speech. There must be a very close examination into the items of expenditure. Let them extend the area of consumption and reduce the cost of production and of distribution. He trusted that the Government would not look to an increase either in the cost of individual telegrams or to any very serious alteration in the rate for Press telegrams. It would be a radically wrong policy not only in the broad public view, but from a commercial point of view, if the Government attempted to make up the equilibrium by depriving the public at large of the great facilities which they now enjoyed. He thought that the improvement in the matter and manner of the Press within the last few years had been something wonderful. The Press had now reached a position in some of the provincial towns which fell little short of that occupied by the metropolitan Press. He would simply point out, in conclusion, that the great reform—the introduction of the penny post—resulted for several years in a loss of a very serious character. He pinned his faith on the Preamble of the Bill of 1868, which he was instrumental in passing. That Preamble said nothing whatever as to profit or revenue, but the great benefit which the measure would be to merchants, traders, and the public generally, and also to the fact that it would afford telegraphic facilities to many important places which at that time were totally without that advantage. He thought that his hon. Friend had made out a case for inquiry, and he hoped that the Government would yield to the demand. It could not do the Government any harm, and it might strengthen their hands.

Dr. CAMERON said, he did not rise to join in the condemnation of Mr. Scudamore, which formed so large a portion of the speech of the hon. Member for Rochester; and he was saved the necessity of entering into any vindication of that gentleman by the remarks which had been made by the hon. Member for Hull. He thought that Mr. Scudamore's greatest fault was over-zeal. Had it not been for that over-zeal the country might indeed have escaped some of the large expenditure in which it had been landed, but it would certainly not have obtained that perfect system of telegraph communication which it now possessed. Anybody who remembered the telegraphic system under the old companies, and would contrast it with the state of things which now existed, could not but admit that the change was well worth its cost to the country, especially when it was borne in mind that without a division the House had voted £4,000,000 of money for the purchase of the Suez Canal shares. Under these circumstances he thought the country could very well afford to pass over the cost of the acquisition of the telegraphs without hypercriticism, particularly when, if there had been any extravagance in the administration of the finances, the man who was responsible for it was no longer in the place where his over-zeal could do any further mischief. It was, too, a matter that must not be lost sight of, that the telegraphs had immensely increased in value to the country since they had been taken over by the Government. Every mechanism connected with the science of telegraphy had wonderfully improved, and there were appliances by which a single wire now could do as much work as formerly could be done by half-a-dozen. There was, however, one point which very few hon. Members would be aware of, and which he was surprised to learn the other day. It was this—that notwithstanding all the money that had been expended in the purchase of the telegraph monopoly, after all there existed in the country at least one company which had the right of erecting telegraphs and competing with the Government for the conveyance of telegraphic messages. He held in his hand an admission on the part of the solicitors of the Post Office that this was actually the case. He would, however, in the first instance, read an opinion of counsel, which the company had obtained on the subject. It was dated the 21st of June, 1871, and stated that the counsel (Mr. Davey) was of opinion that the Orkney and Shetlands Islands Company (Limited) was a telegraph company existing on the 22nd of July, 1869, and therefore entitled to lay down any extension of their existing telegraph lines, or any new telegraph lines within the limits assigned by their memorandum of Association, and that the Postmaster General had no right or authority under the Acts of 1868 or 1869 to interfere with the company so doing, unless he chose to purchase their undertaking. If he attempted to do so, such an act would be unauthorized and unlawful. He (Dr. Cameron) had also in his hand the copy of a letter dated June 18, 1874, signed by Mr. Ashurst, the solicitor of the Post Office, in which the writer, referring to negotiations pending between the Treasury and the Orkney and Shetland Telegraph Company, said it was important to bear in mind that if the negotiations were concluded on the basis proposed, the Postmaster General would, for all practical purposes, become the purchaser of the lines and plant of the company only, and that when the purchase was completed it would still be competent for the company not only to construct other telegraphs between Orkney and the mainland, but also to construct telegraphs in competition with those of the Postmaster General in all parts of England and Scotland. He believed that the negotiations with this company, which had been pending for a long time, had not yet been concluded, and by way of bringing the Post Office to the scratch the Orkney and Shetland Telegraph Company was proceeding to erect new telegraph lines throughout the Kingdom. One had already been erected between Thurso and Scrabster, and the company had made contracts for establishing lines between Newcastle-on-Tyne and South Shields, and between Liverpool and Manchester. So that if the Government now proceeded to buy up the company it would have to do it with all the additional expense which these extensions would entail. He believed that on the Manchester and Liverpool and the Newcastle and South Shields lines the company proposed to compete with the Government by charging a 6*d.* rate; and if the scheme was successful, he understood that it was proposed to erect wires between the principal towns of England and the metropolis. Now the letter of the Postmaster General, which had been so often referred to, showed that three-fourths of the entire revenue from the telegraphs was derived from four or five towns, so that by tapping those towns and charging a sixpenny rate the company would be in a position to make a most effectual raid upon the present receipts of the Post Office. Not only was this the case, but the negotiations of the Orkney and Shetland Telegraph Company had brought to light another existing right which would probably have to be bought up—namely, that of the "way-leaves" of the different railway companies. They had been told that the Post Office had already paid twice over for these "way-leaves;" but it now turned out that there was still a *residuum* of way-leave remaining in the hands of the companies which might yet require to be bought up. For the Post Office, not dreaming of any possibility of opposition, had not in their bargain with the different railway companies considered it necessary to insist on a monopoly of the right of erecting wires along their lines. They simply bought the right to run their own wires along the lines of railway, not imagining that any other company would ever be in a position to enter into a competition with them. But when the Telegraph Company to which he had just referred started up and desired to treat for way-leave it was found that upon the part of almost every railway which they approached there was the greatest readiness to enter into negotiations upon the subject. This would have the effect of converting a dormant right of no appreciable value into a right which might have to be purchased at a considerable cost. He (Dr. Cameron) believed that the facts he had stated were known to very few hon. Members, and it was for that purpose that he had thought it proper to bring them under the notice of the House.

Mr. GOSCHEN said, that having had on this subject to play the somewhat ungrateful part of Cassandra, having criticized the purchase of the telegraphs, and having questioned the calculations of the right hon. Gentleman the present First Lord of the Admiralty (Mr. Hunt) at the time of the purchase of the telegraphs, he hoped he might be permitted to make a few observations. He thought the hon. Member for Rochester (Mr. Goldsmid) had only done his duty in calling the attention of the House to the matter, because it was to the interest of the proper administration of the finances of the country that when a great undertaking was initiated, with estimates such as had been mentioned, and which ended with results such as had been put before the House, that they should be submitted to the scrutiny of Parliament and of the country. The right hon. Gentleman the present First Lord of the Admiralty, in his speech upon the purchase of the telegraphs, delivered in introducing the Bill, in 1868, stated that the amount of capital required for the purchase and for the necessary extension of the telegraph lines would be about £4,000,000, and that the surplus revenue derived from working the lines would be £280,000 per annum, which would enable the interest on the capital to be paid, and the entire debt to be wiped out in 29 years; whereas, in fact, the sum expended on capital account down to the present time was £10,000,000; instead of there having been a surplus revenue, there had been a deficiency, and there had been no attempt to wipe out the debt, or even to pay the interest, until the present year, when a net balance of receipts over expenditure of £40,000 had been available for that purpose for the first time. His hon. Friend the Member for Hull was appointed a Member of the Committee to examine into the contracts, but it was found that all he and the Committee had to do was to satisfy them. The House ought to have before them, in parallel columns, the original Estimates and the results, and all the circumstances which had led to those discrepancies. But how did it happen that we paid so great an amount for what was a bad bargain? It was because they proceeded in too great a hurry, though they were distinctly warned of everything that was taking place. He pointed out at the time that the Government were, through the course they pursued, paying £2,000,000 extra. The right hon. Gentleman opposite (Mr. Hunt) pressed forward estimates involving an apparent expenditure of £4,000,000 in a very few days, without giving sufficient opportunity of investigating and verifying the calculations on which these Estimates were based. It was supposed that they included the purchase of the railway rights and other things not included in the Estimates. When the Committee was appointed, of which he (Mr. Goschen) was a Member, no one was present to represent the public. On the one side there appeared the representatives of shrewd business men and the lawyers who had to advocate the interests of the companies. On the other they had the representatives of the Government, who were eager to conclude a purchase which no doubt they thought would be for the public good. As long as the case of the companies was before the Committee no opposition was offered. The right hon. Gentleman, then Chancellor of the Exchequer, who had his hand upon the lid of the Consolidated Fund chest, did not keep it down; but, on the contrary, with a ready hand, shovelled out the money as if it were for an election, the Government being anxious to pass the Bill at any cost, because they had undertaken to do so. The result was that the Committee voted whatever charges and contracts were brought before them, and had no chance either of refusing or protesting against the improvident and extra vagrant character of the bargain, but they were made more or less responsible with the Chancellor of the Exchequer in registering what was done. Let him refer to one or two of the points which the Committee had to deal with. The first was the question of monopoly; but with the single exception of himself, the Committee voted against the establishment of a monopoly, as likely to imperil the success of the Bill under which the purchase and transfer of the telegraphs were to be effected; but in the following year Parliament unanimously supported a proposal the effect of which had been to create an absolute monopoly. The Committee asked for returns from the companies for the last 15 or 16 years, but they failed to get any accurate data. In fact, they could not touch one single point in this contract, and they came back to the House with a Report which was based upon the representations of shrewd business men and lawyers, determined to promote private or corporate interests; and, on the other hand, a Government eager to get a Bill passed and to have the telegraphs in their own hands. He referred to these facts in order that such financial transactions should not be repeated in the future. Then came another important point. It was thought that in the contract the compensation to be paid included not only the claims of the telegraph companies, but of the railway companies also, and that the possibility of the latter putting the screw upon the former was provided for. But it was soon found that provision had only been made for the immediate object, and they were called upon to pay compensation by anticipation for any further application of the screw by the railway companies. It was now seen that the financial results were of a very disastrous character. Mr. Scudamore contended that the possession of the telegraphs would reduce the cost of administration in India. That had not been the case. The calculations on which the purchase was based by Mr. Scudamore included the purchase or capital account, the prospective revenue to be derived from the working of the telegraphs by the Government, and the prospective receipts.

On the first two he was wrong. The capital required for the purchase was much greater. The expenditure to put and keep the telegraphs in working order was also greater. On the third point he (Mr. Goschen) was wrong, and Mr. Scudamore was right, as to the returns. But the whole calculation was vitiated by the errors as to capital and expenditure. Instead of there being a surplus of £2,500,000, there had been an expenditure of £9,000,000, and what his hon. Friend the Member for Rochester wanted was a Committee to inquire into the whole subject. If the Government were not prepared to grant that Committee, he hoped they would at least present the House with a detailed statement which would enable them to ascertain the facts. The loss had arisen out of questions connected with the administration of the Department, more principally the cost of the extensions which had been found necessary from time to time. He should like to know what the extensions of the system had really cost. If the Government would investigate the matter they might readily arrive at a result which the Papers did not show—namely, in what direction the £9,000,000 had gone. The House had got lump sums before them, but what they wanted was details. He had seen it stated in the public Press that the Liberal Government which came in in 1869 was responsible for the terms given to the companies, because when they came into power they did not throw up the business and refuse to bring in the necessary Money Bill. But he believed that right hon. Gentlemen opposite would admit that when contracts had been made with different companies, when their shares had risen, when the arbitrations were in progress and the negotiations had arrived at a very advanced stage, it would be impossible for the incoming Government to reject all that had been done, knowing that the public had set its heart upon the acquisition of the telegraphs. Accordingly, his noble Friend (the Marquess of Hartington) brought in a Bill in which he gave effect to that which had been approved by the previous Government, stating at the same time that it was open to the House to reject it. The then Chancellor of the Exchequer (Mr. Lowe) spoke of the "immense price the Government were called upon to pay, of which he at once washed his hands altogether; but the matter," he added, "was found in so complicated a state that it was impossible to recede." And in the debate which followed, the purchase was spoken of as a bad bargain. The present could not be regarded as a Party question, as both Governments were implicated in the management of the telegraphs. Some hon. Members might be of opinion that it was unadvisable to rake up past transactions, but that was not the feeling of the Members of the late Government, and if the Committee were granted they would be prepared for the investigation. For his part, he could not tell on what plea it could be refused, for he believed that a thorough investigation into the whole matter would strengthen the hands of the Postmaster General. It could not be said that the Government were averse from inquiry by Committee or Commission, although they, perhaps, preferred an inquiry which would relieve them from prospective difficulties to one which would merely deal with past transactions. The matter was one in which large financial and other interests were involved, and they were bound to satisfy the country that the enormous outlay which had been incurred could be justified.

LORD JOHN MANNERS said, the right hon. Gentleman who had just sat down had stated most truly that neither this nor the preceding Government could claim immunity from criticism as to the purchase of the telegraphs or as to their subsequent management, and he quite assented to that statement of the case. The hon. Gentleman who introduced the Motion (Mr. Goldsmid) devoted the greater part of his speech to an elaborate attack on Mr. Scudamore; but his Motion appeared to refer exclusively to the present system and organization of the Telegraph Department of the Post Office, and to any future changes which the Committee, if it were granted, might recommend. The hon. Gentleman's speech, however, referred to past transactions, and in the course of his observations he criticized with extreme if not unjust severity the language and conduct of Mr. Scudamore. Now, it had been remarked that there was something of unfairness in attacking a man who was absent from England and could not even attend the Committee were it granted to defend himself, and he owned that he shared in that feeling. As, however, Mr. Scudamore could not be heard, he thought it incumbent on him to refer to the principal charges brought against an eminent public servant. The hon. Gentleman began by giving them Mr. Scudamore's estimates in 1868, which were based on narrow grounds. Mr. Scudamore had estimated that for £3,000,000 the business of four companies—the Electric and International, the British and Irish Magnetic, the United Kingdom, and the London and Provincial—might be purchased. The Bill introduced by his right hon. Friend (Mr. Hunt) was, however, a permissive Bill. Reuter's Company was inserted in the Bill in Committee; but Mr. Scudamore never included it in the £3,000,000 which he had estimated. To his estimate £726,000 was added in the long run. Then, again, the Universal Private Telegraph Company was also inserted by the Committee, and involved an additional expenditure of £184,000. Thus £910,000 was added by those two companies alone to the original estimate of Mr. Scudamore. The right hon. Gentleman opposite (Mr. Goschen) had referred to the view he took in the Committee as to the improper basis on which the estimates were made. But that did not apply to Mr. Scudamore. His original estimate of £3,000,000 was based on the companies' published accounts, and their Returns to the Board of Trade, and the Act no doubt gave the companies 20 years' purchase of their net profits. He now came to 1869, which was signalized by the purchase of certain undertakings, and when a strict monopoly of telegraphic communication was given. That entirely upset the original estimates on which the enterprize was submitted to his right hon. Friend, and by him to Parliament. But was that all? In the Estimates of 1869 were further included the purchase of two companies which were then in a moribund condition—the Bonelli Company, at an outlay of £23,000, and the Economic Telegraph, of £15,000. That made £948,000 altogether in excess of the original estimates submitted by Mr. Scudamore. It was not intended in 1868 to purchase the railway telegraph business. But when the monopoly clause became law it was absolutely necessary to acquire that business. The growth of the claims and charges of the railway companies exceeded his powers of description; but was Mr. Scudamore to be blamed for not having provided for these preposterous charges, and for the £4,000,000, exclusive of interest, claimed by the railway companies? To describe these claims it was necessary to go back to the word coined by Dr. Johnson on the death of Mr. Thrale, the great brewer, and to speak of the "potentiality" of railway profits at the end of 20 or 30 years. Mr. Scudamore had nothing whatever to do with it. Then again, by the Telegraph Act of 1870 the Postmaster General was compelled to purchase the Jersey and Guernsey Company at a cost of £57,350. The Isle of Man Telegraph Company cost £16,136; and altogether the figures were brought up to £1,021,426 of excess over Mr. Scudamore's estimate. However sanguine he might have been in his original estimates, Mr. Scudamore was not, therefore, to be blamed for the very great excess upon the capital account which had unfortunately arisen. The hon. Gentleman had adverted to the remarks made by the Postmaster General in reply to the Report of the Committee, and asked if his had been the hand that penned them. Now, he (Lord John Manners) had not signed that Report without due consultation with the officers of the Department, and was responsible for every syllable of it. Further than that he could not say, except that the hon. Gentleman had made a "bad shot" as to the authorship of the Report. He now came to 1872, when what was called the "Post Office scandal" arose. It gave rise to debates in that House, and he was not at all sure that the disclosures then made did not lead to changes in the composition of the Government itself. A solemn inquiry was instituted by the Committee of Public Accounts and afterwards by the Treasury, and blame was apportioned by the House and by the Treasury where it was thought to be deserved. When he succeeded the right hon. Gentleman opposite (Mr. Lyon Playfair) the Post Office scandal of 1872 was a thing of the past, and to revive it now in 1876 for the purpose of exciting animosities against one of the principal performers in it was as useless and unnecessary as it was unfair. The hon. Gentleman complained that the accounts of the Post Office were still unsatisfactory, and that the capital account was wrong, as it did not show anything for the building of the new Post Office. When the State undertook the transfer of the telegraphs there was no idea either on the part of the Government or Parliament that any charge should be made for the portion of a post office which might be appropriated for the telegraph service. It was impossible to say at that time what additional space would be required for the instruments. It would be seen in the Estimates for the ensuing year, however, that a proper item would be included for the telegraph share of any new Post Office buildings of any considerable size. The hon. Gentleman had asked how it was that the Central Telegraph Galleries in St. Martin's-le-Grand were not charged to capital account. There was, however, something to be said on the opposite side. It was true a portion of that great building was occupied by the Telegraph Staff; but, on the other hand, the large building in Telegraph Street, which was the property of the Telegraph Department, was now in turn occupied by a portion of the Post Office Staff. The hon. Member for Rochester had referred to a small portion of the observations made in reply to the Treasury Committee that dealt with the employment of the Royal Engineers, and he was afterwards followed on the same subject by the hon. and gallant Gentleman the Member for South Ayrshire (Colonel Alexander). One portion of the question was undoubtedly a subject for discussion. There were some financial authorities who thought, for reasons they held to be good, that the employment of the Royal Engineers was an error; and there were others who thought that, in a financial point of view, it was economical. No one could deny—he was certainly the last person to deny—that the services of the Royal Engineers were satisfactory, that they performed their duties to the satisfaction of the Department and the country. It narrowed itself solely to the question of finance, and they had to ask themselves whether the work would be done more economically if they were not so employed. Having looked into the question and considered the arguments on both sides, he had come to the conclusion that, for reasons especially connected with the necessities of the telegraph service, it would be more economical if the whole of the telegraph lines for the Post Office were maintained by the Post Office staff proper, and not to a certain extent by the Royal Engineers. But, after all, what was the amount involved? He stated in his Report his belief that, if the Royal Engineers were relieved from the work, a sum of £2,500 would be saved annually, and it really came to be a matter of accounts. He had very little doubt that his right hon. Friend the Secretary of State for War and himself would be able before long to come to a satisfactory conclusion as to this £2,500. His hon. and gallant Friend the Member for South Ayrshire spoke as if he thought that he (Lord John Manners) entertained a doubt as to the excellence of the system, rather than as to the financial point of view; but he could assure him that he did not. He would admit, for the sake of argument, that the Royal Engineers ought to be instructed in the practical art of telegraphy, and he did not raise any objection, except on the score of the small element of cost, if they continued in that employment. Far greater military countries—France, for instance—did not accept our views upon this point. No one could doubt that the military authorities and statesmen of France considered that it was of vital importance that the Engineer Corps should be able to conduct telegraphic operations during war, but in spite of that they had a totally different system, and they did not suffer any of their military employés to be employed in telegraphy. He mentioned it because it might appear, on more mature consideration, that another system more adopted for military purposes might be suggested for the ensuing year. On looking into the Estimates, it would be found that for the ensuing year nearly the same sum that had been charged in former years was taken for the employment of the Engineers. Before doing anything in the way of change, he could assure the House that the question would have, as it had had, the utmost consideration on every matter of detail connected with it. The hon. Member said he proposed this Committee in no hostile spirit to the Government or the Department, and he was followed in the same spirit by the right hon. Gentleman opposite. It would be most ungracious not to accept such assurances; but he would like to throw out a hint that the Telegraph department was not in that state of impecuniosity which was supposed. With regard to the finances of the present year, the estimated receipts were £1,200,000; and he had the pleasure of stating that the estimate would be more than realized, and that there would be, in all probability, at the end of the financial year £1,250,000 paid into the Exchequer from the Telegraph department. That, he ventured to think, was not an unsatisfactory result. He contended, however, that the success or non-success of the undertaking was not to be measured on merely commercial grounds. But, if this great Imperial transaction was to be treated on purely commercial grounds, it would be necessary to take out of the annual expenditure such items as extension, private wires, and superannuation. He (Lord John Manners) had stated that the year would close with what he trusted the House would regard as a satisfactory figure so far as the public were concerned. He estimated that the expenditure would amount to a sum not exceeding—and he had every reason to hope that it would be less than—that which was taken credit for at the beginning of the financial year. With respect to the future, he thought he might go so far as to say that he believed when his right hon. Friend the Chancellor of the Exchequer made his Financial Statement for the next financial year there would be nothing either in the estimated expenditure or income of the Telegraph department of the Post Office that would not be of a satisfactory character. The hon. Gentleman said that if this Committee were granted he hoped it might strengthen the hands of the Department in reducing the charges; but how such a Committee could help the Postmaster General to discharge people who had a lien upon the Government employment was not very apparent. Those connected with the Department were not insensible of the importance of a reduction of expenditure, and they had been constantly considering whether the Telegraph department and the Post Office could not be more closely welded together. The hon. Member had asked what was the character of the present system of the Telegraph department, and had spoken of Mr. Scudamore as still in some sense the head of that department. The head of the Telegraph department, however, was precisely the same as the head of the Post Office. Politically, he (Lord John Manners) was, of course, responsible for both; but the permanent secretary of the Post Office was now the secretary also of the Telegraph department. If the hon. Gentleman was only anxious that the proposed Committee should be the means of procuring the amalgamation of the different branches of the Post Office, that was already effected. The hon. Member spoke in his Resolution of calling the attention of the House to the results of the transference to the State of the telegraphs, but as he confined his observations entirely to the financial results, it might not be amiss to place before the House the general results to the public at large of that transference, which had been so much criticized. He agreed with the hon. Member for Hull that the public out-of-doors were far more interested in those results of which no mention was made in the speech of the hon. Member for Rochester, than in the minute investigation of the transaction as compared with the original Estimate of 1868. Those results were multiform and all-important as regarded the political, social, moral, domestic, and educational relations of the country at large; and he ventured to say that in every one of these important aspects the transference to the State of the telegraph business of the old companies had been an unmixed and ever increasing good. To show what had been done in the last five years he would state that in 1870 the number of miles of telegraph required was 48,000, while the number of offices was 2,488; whereas in 1875 the number of miles of wire had risen to 110,000 and the number of offices to 5,600. He thought he might, therefore, not unfairly quote some remarks made by his right hon. Friend the Home Secretary in speaking on the subject in 1873, when he said—

> "The Post Office afforded the maximum of advantage to the public, and returned to the Chancellor of the Exchequer the maximum amount of money compatible with the duties it had to perform."—[3 *Hansard*, ccxvii. 1189.]

He (Lord John Manners) believed that very shortly those observations made by his right hon. Friend in 1873 would be strictly applicable to the Post Office Department—say in 1877 or in 1878. To suppose that the present deficiency, now about £140,000 annually, could be made up in one or two years would, perhaps, be taking too sanguine a view; but knowing, as he did, the means by which economy might be studied in the Telegraph department, and seeing that the expense had already been checked, and that the receipts of the Telegraph department were developing enormously week by week and month by month, he did not hesitate to predict that in two or three years the most sanguine estimate that a reasonable man could have formed five or six years ago of the great enterprize under his charge would be realized. In the meantime, he had only to express the hope that the House would guard itself against any rash or ill-advised changes. Nothing, he believed, would be more fatal to the progressive and satisfactory development of the Department than any hasty and inconsiderate change either in the general terms imposed on it by Act of Parliament or in its internal administration. Such changes as in the view of the Government were desirable had already been effected or were under consideration; and if it should be the pleasure of the House to appoint the Committee asked for, he trusted that its operations would be confined within reasonable and moderate limits, and that it would not break in upon and disturb the relations which now existed between the Department and the country, and which were satisfactory in the highest degree to the public at large.

MR. LYON PLAYFAIR: I ask to make a few remarks on the reply made by my noble Friend the Postmaster General, and they need be few, because the financial state of the telegraph system has already been amply discussed. I at once admit that I concur with the Postmaster General in the position which he has taken in regard to the Report of the Treasury Committee—that the mode of bringing income in proper relations to the capital expenditure is not by unduly reducing the facilities which the public now enjoy, but by economising the useless expenditure of working the system, and by guarding against unremunerative extensions. But he has sat down without indicating the action which the Government intend to take in regard to the Motion of my hon. Friend the Member for Rochester, that a Committee should be appointed to examine into the organization and management of the Telegraph department. Upon that subject the more inquiry and publicity there is, the better will it be for the department itself and for the Minister who is responsible for its administration. The work of that department, if it has not been conducted with all the economy which could be desired, has as to its ultimate ends been carried on with singular energy and efficiency. It has developed more largely as a Government department than the public telegraphs of any other country, but that efficiency has been accompanied with a very large expenditure. The amount of money paid for goodwill and for plant was doubtless excessive, and the amount of expenditure for putting that plant into efficient working order was great, and, if added to capital, would make our purchase of the original working telegraphs very onerous. Enough, however, has been said on this subject. But too little has been said, either by previous speakers or by the Postmaster General, on extensions made since the purchase, or upon the effects which they produce upon the expenditure. Whether the expenses of working amount to 96 per cent of the income, as the Treasury Committee contend, or to 86 per cent, as the Postmaster General argues, they have largely increased from 1871-2 to the present year. The main cause of this increase is not the extension of unremunerative extensions to unpaying districts. This was only a small cause of the expenditure at any time, and it is rapidly decreasing from the natural growth of such offices. It largely arises, as I suspect, from the desire of the Post Office to attain an ideal excellence all over the Kingdom, although it may only be essential to the more busy centres of industry. The ideal of the Post Office is, that no office should retain a telegram longer than 10 minutes before it is transmitted. At certain periods of the day there is a large rush of telegrams, and if the wires and clerks between the stations are insufficient to keep up this 10 minutes ideal, new wires and new clerks are incontinently added. Then, for the rest of the day, both the wires and clerks are comparatively idle. Now, this is no doubt necessary between important telegraphing stations. But it is not equally requisite to have all over the country a high pressure system to carry out a preconceived ideal of 10 minutes' despatch, when an occasional 10 minutes' delay would matter very little. I believe that an intelligent consideration of this question by a Committee might result in a large saving both in wages and in the incessant demands for new wires and instruments. And I further think that a Committee might suggest important economies in the administration of the department. I do not at all agree with the proposals of the Treasury Committee as to the manner in which telegraph engineers should be employed to do routine postal duties as a substitute for surveyors. But, on the other hand, I do agree with them generally that there might be a large and economical consolidation of the postal and telegraph systems. I do not think a Committee would find it very difficult to bring the postal surveyor and the telegraphic engineers into more harmonious connection, in a manner which would add largely both to efficiency and economy. But such reforms arise with great difficulty within an office. To effect them a full public inquiry is essential. There is a natural disposition of public servants to keep separate as sub-departments kinds of work which appear more distinct than they really are. The postal surveyor wishes to be responsible for the offices under his control, as regards their working and discipline, while the telegraph engineer exalts his technical profession by confining himself to works of maintenance. But a Committee would, I think, find that there is no need of a perpetual divorce between the working and maintenance of telegraphs, and that both might be united with economy and efficiency. I do not believe that my noble Friend will by himself succeed in carrying out sufficient organic changes to bring the telegraph system into a satisfactory condition as regards the revenues of the country. He is weighted with an enormous original expenditure on capital. He is pressed by a public always demanding increased facilities at a minimum rate of cost to themselves. He possesses, on the other hand, very efficient officers who desire to see the telegraphic system extended, and naturally estimate the popularity and efficiency of the system higher than its economical relations to public revenue. His hands would be greatly strengthened by the Report of a Select Committee. By its Report many of the prejudices of the public in regard to the administration of the telegraphs would be removed. The honesty and public spirit with which the whole department has been carried on from the original negotiations of Mr. Scudamore to the present time would become manifest. But the errors of over-zeal might be restrained, and the Committee could not fail to assist my noble Friend in his efforts to produce increased economy in the management. I therefore hope my right hon. Friend the Chancellor of the Exchequer will rise after me and announce that Her Majesty's Government will not object to give a Committee, not to rake up the errors of the past, but to economize and improve the system for the future.

The CHANCELLOR of the EXCHEQUER said, that as everybody agreed the Motion before the House would be useful and satisfactory the Government had no wish to stand in the way of any inquiry, though they could not approve the appointment of a Committee merely to open up old sores. Care should be taken, therefore, to limit the scope of the inquiry, so that it should not assemble for the purpose of criticizing the measures effected by a gentleman who was now absent from the country. The state of the Postal Department had engaged, and was still engaging, the attention of the Government. Some not unimportant improvements had already been made in it; and, as the Report of the Departmental Committee was under the consideration of the Treasury, other improvements would shortly follow. He quite admitted that some advantage might be derived from the appointment of a Committee, especially in the direction indicated by the right hon. Gentleman who had just sat down. What he would suggest to the hon. Member for Rochester was that he should withdraw his Motion, and put himself into communication with his noble Friend the Postmaster General in order to arrange the matter. Meanwhile, he could assure his hon. Friend that in conducting the inquiry he would have the assistance and cordial support of the Government.

Mr. GOLDSMID said, he would accept the suggestion of the right hon. Gentleman, and withdraw his Motion.

Amendment, by leave, *withdrawn.*

NATIONAL SCHOOL TEACHERS (IRELAND) ACT, 1875.

RESOLUTION.

MR. MELDON, in rising to call attention to the condition of the Irish National School Teachers; and to move—

> "That, in the opinion of this House, 'The National School Teachers (Ireland) Act, 1875,' having failed to satisfy the just demands of the Teachers, particularly of those in non-contributory unions, the claims of the Irish National School Teachers deserve the immediate attention of Parliament, with a view of substantially and permanently increasing their salaries, and securing to them pensions upon retirement from old age or ill health,"

said: Sir, I am sure the House will think I am perfectly justified if I trespass on its time to call attention to this subject. I will recall to the recollection of the House the circumstances under which I first brought the case of the teachers before it, and to the steps which had been taken to ameliorate their condition. On the 9th June, 1874, I had the honour of submitting to this House a Motion very similar to the present. I gave on that occasion expression to the grievances of the teachers. For instance, I complained that in the first place their salaries were inadequate, and that they had to teach the youth of Ireland without having sufficient residences provided for them. The latter was a grievance on which I laid particular stress, and I am glad to say that it has to a very great extent been remedied, and I hope before the end of the year it will be altogether remedied. The other grievance was, that the teachers complained that, no matter how long a teacher served his country as a teacher, when he became incapacitated from ill-health or sickness he had no retiring pension, and nothing was open to him except the workhouse or the pauper's grave. On that occasion my Motion was, by permission of the House, withdrawn under circumstances which I will mention. The Government was represented by the right hon. Baronet the Chief Secretary for Ireland and the right hon. Gentleman the Secretary of State for War. The right hon. Baronet stated that I had

> "Shown that the present position of the National teachers was not only unjust to the teachers but was injurious to the interests of education."

He also stated that if I would withdraw my Motion he would promise, on behalf of the Government, to meet the demands of the teachers. The Secretary for War stated that "undoubtedly there did exist grievances which ought to be remedied." Therefore I did not press my Motion, but left the Government to redeem their pledges. From that time until the 25th June, 1875, no step of any kind was made to redeem these promises. On that occasion the National School Teachers (Ireland) Bill, which has now become an Act, was introduced into this House. Its object was, not to offer any relief at all to the teachers, but was simply to cause the Guardians of the Poor to contribute to the payment of the school teachers; the proposition being that the amount of payment for results was to be divided into three portions—one-third to be taken out of the funds provided by Parliament, and on condition that one-third was to be subscribed by the Guardians the Government would pay the additional third. On the 31st July a Bill was introduced dealing with the question of residences, and with reference to that matter I have nothing to say, except, on behalf of the teachers, to thank the Government for the attention they paid to the subject, and for the great boon that Bill will eventually give them. The first complaint which I have to make to-night is that so far from the Government having redeemed the pledges which they gave on the 9th June, 1874, the teachers are, in the great majority of instances, in a worse position than they were before they agitated in 1874 for the removal of their grievances. It is true that last Session the class salaries of the teachers were increased to a certain extent, but it was really paying the teachers out of their own pockets, for up to last Session £120,000 was paid to them by way of payment of results, and the only thing that the Government did with respect to this subject was to divide it into two portions—to give £60,000 for results and the other £60,000 to increasing the class salaries. I shall be able to show that this process has produced no benefit to the vast majority of the teachers, but that it has injured them. Two-thirds of the results which were to be allocated amongst the teachers were only to be allocated to them conditionally—that is to say, in the event of a Union becoming contributory under the

National School Teachers' Act, the full amount earned by the teachers must be paid to them, but in the event of the Union not becoming contributory, then only one-third of the work which had been done was to be paid for. I should like to call attention to what really was the grievance, so far as salaries were concerned, that the teachers complained of in 1874. The average payment to teachers in Ireland of all classes amounted to £43 6*s*. 9*d*., including class salaries, payments by results, and local fees; in England the average amount paid to male teachers was £103 10*s*., and to female teachers, £62 9*s*.; in Scotland the amount was £110 7*s*. 10*d*., and £58 14*s*. 4*d*., respectively. I find, as a result of the legislation that has taken place, that in the Unions which have become contributory every teacher is in receipt now of a much smaller salary than he was in 1874. I will refer to a table given in the 41st Report of the National Commissioners of Education, though I do not accept the table as true and authentic, because it is not. From that I find that the Commissioners have taken and take the principal teachers —that is, 5,000 out of 10,000, in the receipt of the largest amount of pay, and from that data they show the salaries which the teachers get. They show that the first class were in receipt, from every source, of £116 17*s*. 1*d*. That was based on the salary—£52 a-year—and on the supposition that the teachers were paid the highest of the results fees. The amount of the results fees in these cases was about £26, but in non-contributory Unions for the last year the teachers only received one-third of that amount. I find by reference to the details that the entire amount receivable in non-contributory Unions for teachers of the first class is £114 5*s*. 7*d*., instead of £116 17*s*. 10*d*., which they were in receipt of in 1874; that in the second of the first class they were in receipt of £88 6*s*. 7*d*. in 1874, and now the amount is £79 5*s*. 5*d*.; that the second class teachers in 1874 were in receipt of £62 2*s*. 4*d*., and now they get £58 10*s*. 6*d*., and that in the third class of teachers there is a difference in the salaries of 6*s*. 7*d*. between now and 1874. The first of the first class of female teachers received £82 2*s*. 1*d*. now, and £93 2*s*. 5*d*. in 1874; the second class, £62 1*s*. 6*d*., against £69 5*s*. 3*d*.; and so on with the other classes in proportion. Therefore, in the great majority of instances the result of legislation has been seriously to diminish the salaries of the teachers, because at present there are 73 contributory and 93 non-contributory Unions. In other words, the large majority get nothing at all for the same amount of work done by the minority. That is one great objection to the system; but what is the other? It is a most important one; because no legislation has ever taken place in the House that has caused so much injury to education in Ireland as has the Bill of the last Session. It has tended to make the teachers unpopular, for it has led the poor people to believe that it is the teachers who are making them pay the school fees for the education of their children. More, the Bill has stirred up an agitation from North to South against the National system of education. Further, it has kindled religious dissension—it has set class against class, and one religious denomination against another. For seven years the teachers have been agitating for an increase to their salaries, and nothing could have been worse than that they should have had to go through the length and breadth of the land to continue their agitation before the Guardians. In September, 1875, the teachers made a direct appeal to the Unions, and 65 out of 163 were induced to become contributory, but not one of them had the slightest idea they were becoming contributory for more than one year, whereas the Act made them contributory for two years. Ninety-eight remained non-contributory, 31 of which were unanimous in their decision, and seven had only one vote for becoming contributory. At the beginning of this year, when another vote could be taken, out of 65 Unions which became contributory, nine took the earliest steps they could to become non-contributory, 19 which had voted themselves non-contributory by majorities became unanimous, so that out of 93 Unions which again voted themselves non-contributory 62 were unanimous in deciding that they would not contribute. Other figures showed the great objection of the Poor Law Guardians to become contributory. The great question involved is not a merely local one. It is a question for Parliament. It is urged that the expenses of education ought to be provided by the Imperial Parliament, and that the Guardians ought not to be allowed to legislate on the subject as they like. The difference between the amounts which the various Unions are called upon to pay ranges from 6*d*. to ½*d*., and the Poor Law Guardians say if there is to be a rate, it should be national, levied equally all over the country. They also urge that it is an odious thing for them to tax ratepayers for purposes which really do not fall within the operation of the Poor Law at all. Besides, I really do not think that it is constitutional or right that the Government should thus shrink from the task which is undoubtedly theirs. The "National" system is not national—it is a State system, and it is perfectly open to the Government to make this paltry grant of £60,000 out of the Imperial Exchequer. It is said Ireland does not contribute towards the support of education as does England and Scotland; but I contend if you take into account the voluntary agencies of education at work in Ireland that she does contribute to education equally with England and Scotland. What will be the operation of this Bill, under which a Union may be contributory one year and non-contributory the next? When you employ a clerk you employ him at a fixed salary, and on certain terms; but here the Government are employing these teachers under an agreement that one year they shall have £84 8*s*. 10*d*., and the next year, through no fault of their own, it may be reduced to £63 16*s*. 5*d*. Is not that, of necessity, a fatal objection to the scheme? The teacher will never know what his income at the end of the year is to be, and such a system — even if all the Unions were contributory—must fail. I will not dwell further on that point, as I know that I shall be followed by hon. Members who understand the subject better than I do. I have shown that the Government undertook, in the most solemn way, to remedy what they admitted to be a grievance of which the teachers complained, and they ought not to shrink from doing their duty. They ought to carry out the pledge which was given two years ago—namely, in 1874. It is only a small sum of £60,000 a-year which is required for the purpose of placing the teachers' salaries on a sound footing. There are three or four different courses which the Government may follow in the matter. They may make this paltry grant of £60,000 a grant out of the Imperial Exchequer, since they will not give what the Irish people really want—a denominational system. They may make the Bill compulsory, or they may make the rate a national rate, and not throw the burden altogether on one class only of the community. If the Government wish to re-open the question of national education in Ireland they will find no better way of doing it than by the Bill of last year, which has set class against class, Protestant against Catholic, and one part of the country against another. I do not find fault with the right hon. Gentleman the Chief Secretary for what he has done. I admit that he has done—and the teachers give him credit for having done—his best, and no blame lies at his door; but I do say this is a question which should be thoroughly dealt with by the Government. It is a question for the Government whether they are not strong enough to come down to this House and propose some scheme to remedy what they have admitted to be a serious grievance. The Government have no business to try to throw their responsibilities on others. The duty is theirs. All my Motion asks is, that the attention of Parliament shall be given to a grievance which two years ago was unanimously admitted to exist, but which no attempt whatever has been made to remedy. There is only one other point to which I desire to direct attention. It is a very difficult one, respecting which I hope we will hear some satisfactory statement from the Government to-night. It is the question of pensions. That is regarded by the teachers as of the utmost importance—indeed, so serious do they consider it that at a meeting which they recently held they came to a determination that even out of their miserable salaries they would constitute something towards establishing a pension fund, or something of the kind; but they thought the Government in dealing with the subject should follow the recommendations of the Royal Commission. This is not merely a question of doing justice to the teachers, it is one that vitally affects National education in Ireland. It is perfectly well known that at present there are many incapacitated teachers whom the school managers naturally will not throw on the world to go to the workhouse or to a pauper grave. Now that there are so many attractions for educated men in the Civil Service and elsewhere, how could they expect to find good men for National school teachers unless this question of pensions is settled? Everybody must admit the paramount importance of securing for the instruction of the youth of Ireland men of ability and respectability. It is well known that for many years the teachers have been holding on in the belief that every year they were on the eve of obtaining the boon of a pension. It was admitted in 1874, and again last year, that the system of pensions ought to be introduced; and in answer to a Question which I put to him this Session the Chief Secretary said it was still under consideration. The establishment of pensions was recommended by the Commission which sat on the subject of Primary Education; and what is the use of having Royal Commissions, if from year to year their recommendations are to be put aside? The consequences of the matter being left unsettled have already been very serious, and unless a solution of the question is arrived at, it will be impossible in future to get men who can be safely intrusted with the education of the children of Ireland. I cannot conclude without expressing my obligations for the very courteous hearing which has been accorded me, and I beg now to move my Resolution.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, 'The National School Teachers (Ireland) Act, 1875,' having failed to satisfy the just demands of the Teachers, particularly of those in non-contributory unions, the claims of the Irish National School Teachers deserve the immediate attention of Parliament, with a view of substantially and permanently increasing their salaries, and securing to them pensions upon retirement from old age or ill health,"—(*Mr. Meldon,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. CHARLES LEWIS, in presenting a Petition on the subject from the National Teachers of Derry, said, that in the main he cordially assented to the terms of the Motion, though he regretted some of the observations that had fallen from the hon. and learned Member as to the Bill of last year having been one of the worst blows the system of National education had received. He had no hesitation in saying that ever since the present Government had been in office the right hon. Baronet the Chief Secretary for Ireland had shown himself most anxious, not only to give his individual attention to this subject, but in the most discreet, proper, and efficient manner, to try and get over those internal difficulties by which they all knew this question was surrounded. At the same time, it must be allowed that there was a great difference between the Irish system and that of England, verging very nearly in the case of the former of going on that dangerous principle known as taxation without representation. The view he had always taken of the question was that they had a right to insist that in initiating and maintaining a system of National education they should comply with the primary requisite, without which any system was a sham, that those who were called on to teach in their schools should have as the basis of their salary a sufficient sum for their maintenance and comfort. The absence of that basis existed to a certain degree when the system was first introduced 40 years ago, but it existed now in a much more aggravated form, owing to the increase which had taken place in Ireland, as well as England, in the cost of living. The real root-evil of the present system was that the salary of the National school teachers in Ireland was a mere mockery; indeed, they could not expect a system to be successful when the State dealt with its servants in such a way, saying to them—"We will present you with what we call a salary, but which is a miserable pittance, with the chance that by the fleeting will and opinions of Guardians, elected periodically, you may possibly at the end of the year receive some wretched supplement to it to help to fill your empty cupboards." He admitted *cum animo* that the Act of last year was passed with a good intention, and that in some cases it had affected a partial remedy; but, unfortunately, it must be remembered that at present even the contributory Unions had had no opportunity of becoming non-contributory, and it was a significant fact that of the Unions which a year ago passed the contributory resolutions, several had already shown a desire to become non-contributory. No fewer than nine Unions had taken up that position, and nothing could be more degrading to the National school teachers than in such an arbitrary and fickle manner to be deprived of the small supplement to their salary which they had been taught to expect. Those Unions kept the word of promise to the ear and broke it to the hope. Legislation could not be allowed to remain as it was. Either they must take the bull by the horns, and make the Act compulsory, or the Government must be more free-handed, and make a great addition to the present contribution of £60,000. It would be a far less evil that the people should submit to a compulsory Act without representation than that the present wretched system should go on. Under any circumstances they must not keep the National school teachers in their present destitute position. He did not see how they could expect to get or to keep efficient teachers if they gave them such miserable salaries, and no pensions to look forward to. It was no wonder that during the 40 years the system had been in operation 6,000 of the National school teachers should have deserted the service. Men would be always on the watch to obtain better employment elsewhere, and even if they remained it was but sluggish service that would be obtained from them. The most efficient system might be rendered most inefficient on account of such a mode of remuneration, which was hardly consistent with common honesty, and which no private individual would adopt towards his own servants. The workhouse school teachers, whose salaries were below those of the other teachers, complained that, through the abolition of gratuities since the Act of 1875, they received barely the same pay as before, even in contributory Unions; while in non-contributory Unions the Act had resulted in a positive loss to them. In conclusion, he would ask that the teachers generally should be elevated from the degradation in which they had been involved by such a grievously inadequate system of payment.

SIR GEORGE BOWYER said, he was one of a deputation which waited on the right hon. Baronet the Chief Secretary for Ireland to represent this matter to him. The right hon. Gentleman received them very courteously; but he regretted to find that the case was now where it was then, no decided step having been taken on the subject. He thought the teachers had great reason to complain of the inadequacy of their remuneration. Unless we paid men adequately for the duties they had to perform we could not expect those duties to be performed efficiently. Besides, when a teacher became incapacitated, he ought to be properly, though not extravagantly, provided for. Unless this were done we could not expect men to become school teachers, as so many other modes of employment were open to them in the present day. He hoped and felt confident that this matter would receive the favourable consideration of the Government, and that before six months had elapsed something would be done which would prove satisfactory to the people of Ireland and to those meritorious public servants, the National school teachers.

MR. KAVANAGH said, although he concurred in many of the remarks of the hon. and learned Member for Kildare (Mr. Meldon), he could not fully agree with the terms used in the first part of the Resolution. He could not concur with those who were advising the Government to make the Act of 1875 compulsory as regarded the non-contributory Unions, and as the Resolution seemed to point that way he could not support it. As he himself took some part in endeavouring to get the Unions in which he had influence to become contributory, he thought it right to state that when doing so he pressed the matter upon the guardians on the grounds that they were only asked to agree to a provision of a temporary character, and he was therefore bound to protest against its being made compulsory. There could be no doubt that the education of the young was a question of the highest national importance, and therefore the funds for its support should be levied off all kinds and sorts of property, and not thrown upon the poor rate which was levied off land alone, and was far too heavily burdened already.

MR. LAW said, it was of great importance that the salary and *status* of the National school teachers in Ireland should be improved. It had been well said, "Such as the schoolmaster is such will be the school." To secure and retain the services of really good men better pay was necessary, and it was worthy of consideration whether so large a portion of their salary should be left dependent upon fees, a casual source of income quite beyond their control. Two-thirds of the Unions of Ireland had refused to act upon the permissive measure on that subject passed last year, and the result was that there existed a gross inequality in the remuneration of this class of public servants which was justified by no substantial difference in the work they did, but depended merely on the accidental whims of the Boards of Guardians. The Act, in short, could not be deemed successful, since its practical effect was to leave two-thirds of the National schoolmasters of Ireland, as had been said, "shamefully underpaid." He understood that something would be done by the Government for the teachers in the matter of residences, and also in regard to pensions; but the question of their salaries still remained to be dealt with, and he thought that a small amount of local taxation for that purpose would not only be unobjectionable in itself, but would have the effect of making the people more anxious to send their children to school than they were now, as they would feel that they had in any case to pay something towards its support. A rate of about 1*d.* in the pound all over Ireland, half being paid by the landlord and half by the tenant, was hardly a matter about which it was worth while to raise the question of taxation and representation. He thought this Act could not be left as it was. He looked upon the National system of education in Ireland as a decided success, and he was sure the right hon. Baronet the Chief Secretary for Ireland desired that the system should be maintained with still greater efficiency, but that could not be done until this Act was amended.

MR. H. A. HERBERT said, he was certain that no class in Ireland would hesitate to be taxed for the purpose of raising funds to enable these National school teachers to occupy that respectable position in society to which their merits and the very important work in which they were engaged entitled them, and he therefore urged that the Government should propose a measure which would put taxation equally on all classes to raise funds for that purpose.

MR. BRUEN said, he cordially agreed with that part of the Resolution which related to the necessity for increasing the salaries of the teachers and securing pensions for them on retirement, and would express a hope that it would receive the attention of the Government. He could not go so far as to say that the Act of last Session had failed in any respect, because it had only been in operation for seven months. As to the former part of the Resolution, he did not think that the basis of taxation which was established by it was fair and just, for that one Union should pay ¾*d.* in the pound and another 6*d.* was a thing which no official Member of the House could have foreseen when the Bill was passed. In that respect there was no doubt it had been unsatisfactory. He considered that the result fees were diverted from the purpose for which they were originally intended and went to pay for the education of children whose parents were perfectly able to pay for them. He believed that by a recurrence to the 1*d.* a-week fees from parents who could afford to pay for the education of their children, a large sum would be realized, which would enable the Government to pay adequate salaries to the teachers; and the possession of a staff of really good masters would greatly assist in getting over the difficulties which would be encountered when the compulsory system was introduced into Ireland, for the children would always be attracted to schools in which a good education was given. That the salaries of the teachers were insufficient was admitted over and over again, and a comparison with the other parts of the United Kingdom was instructive. In England the amount of the Government grant was £772,768, and the school fees £697,773; in Scotland the grant was £100,370, and the fees £115,706; but in Ireland the grant was £408,129, and the school fees only £53,966. The average paid in fees in England was 8*s.* per head, in Scotland 10*s.*, and in Ireland 2*s.* 9*d.* That showed that the idea of supporting the schools in Ireland by fees was a failure. It had frequently been said that the contributions to education in Ireland were very small, being as low, according to some, as 13 or 14 per cent. The Report, however, of the Commissioners on Primary Education in Ireland showed that in 1868 the voluntary contributions outside the National system amounted to £108,000, and inside the National system to £101,000—in all to £209,000, or more than 55 per cent.

Since that year, the voluntary contributions in Ireland had increased. The landowners in Ireland would not be found backward when they were called on to assist in promoting the education of the people, but they ought not to be the only persons to bear the burden.

CAPTAIN NOLAN said, it seemed clear that they were all agreed upon the point that the salaries of the National school teachers, considering what an excellent body of men they were, were wretchedly low, and that it was in the interest of the Empire that they should be raised; therefore the question might be put out of any contention in future in that House. How it was to be done was another and a difficult question. When the proposal to permit the Unions to contribute towards the salaries of the teachers was last year before the House, he pointed out to the right hon. Baronet the Chief Secretary for Ireland the difficulties that would stand in its way. Even those Boards of Guardians which had refused to contribute acknowledged that the salaries were too low, and their objection to contribute was based on several grounds, some of which, he thought, were well founded. He contended that, in consequence of peculiar circumstances, the people of Ireland were asked to contribute much more towards the education rates than the people of England. In England, in 1874, the amount raised by rates for school purposes was £197,000, and in Ireland £35,000, about the same proportion, according to population; but if the comparative wealth of the two countries were considered the Irish contribution should not be more than £11,000. Unfortunately, the voluntary contributions to schools in Ireland were given in a form which the Government did not recognize. There had latterly been a large increase of rates in Ireland, the great bulk of which, in the shape of county cess, fell on the tenants, and they were therefore naturally averse to any additional increase. They were the more unwilling to pay augmented education rates because the National system as at present worked in Ireland did not secure that religious and denominational education which Protestants and Catholics alike desired. If the Guardians contributed to the expenses of a school, they would naturally seek to have control over it; and as in most of the Unions the majority of the Guardians differed in religion with the great mass of the people, the latter would strenuously object to placing the control of the schools in the hands of the Guardians, and would justly raise the cry of persecution. He objected to the proposal to levy a 1*d.* rate on the whole of Ireland, for that would simply amount to an additional tax of £20,000, besides the school rate of £35,000 now raised. The Government could easily solve the difficulty by raising the payment for the Irish National schools to the same rate as that given to the Scotch. Scotland, with a population of 3,360,000, received £464,000 a-year, while Ireland, with a population of 5,400,000, received only £628,000; in other words, Scotland got 2*s.* 9¼*d.* per head and Ireland 2*s.* 3*d.* He was disappointed with the way in which the Conservative Government had dealt with this question. He had been told before he became a Member of that House that he should find the Conservatives much more in accord than the Liberals with the views of the Irish people on the subject of denominational education; but, in his opinion, the present Government had dealt the most insidious and dangerous blow to denominational education in Ireland that it had received for the last 30 years by the attempt to place the schools under the control of the Boards of Guardians. The scheme to which the Irish people so strongly objected was in effect a school board system in disguise, and without the protection which popular elections afforded.

DR. WARD said, that the Government, when they came into office, gave the teachers an increase of salary, but they coupled it with conditions which deprived two-thirds of the entire number of the increase. They had, in fact, increased the grievance they had endeavoured to settle. The truth was the country was not satisfied with the present system, and that was the reason the Boards of Guardians would not contribute funds. The present system was bad in principle, bad in practice, and it must eventually be given up, and the sooner that was done the better it would be for both Irish and English interests. He charged the Government, in respect of the National Board, with having broken their bargain in placing, within the last two years, Sir Robert Cane and

Sir Dominic Corrigan on the Board as the representatives of the Catholic opinion of Ireland.

Sir PATRICK O'BRIEN said, the question which his hon. Friend who had just sat down had referred to was a large one—namely, whether they should abrogate the great National system and institute another, but he would not venture upon a bye-question of the character of that before the House to discuss whether denominationalism should be substituted for the National system in Ireland, as he did not think that the Resolution of his hon. and learned Friend the Member for Kildare pointed in that direction. He believed that the question before the House was one which the Government should solve. It was an admitted grievance, and it should be remedied. It was now quite clear that unless something was done to meet the wishes of the teachers, education in Ireland would suffer. At present they received miserable pittances, and the system which now existed ought not to be tolerated in any civilized country.

Mr. SULLIVAN said, he quite agreed with the hon. Baronet the Member for King's County that the most useful course to adopt would be to consider what might be said against the Resolution—what, in fact, would be said by the Scotch and English constituencies when they found an application of this sort coming before the House—that was, the Irish Members asking that a scheme more just towards these teachers should be secured for improving their salaries. There could be no doubt it was the duty of the Government to release the impoverished people of Ireland from the state of suffering and degradation to which the existing system exposed them, and he hoped they would take such a course as would secure for the National school teachers in Ireland a better salary, and in all respects due consideration. The Chief Secretary for Ireland would tell them that the state in which the National school teachers in Ireland were kept, so far as salary was concerned, was disgraceful. Their pay was a reproach to Ireland, and a reproach to the age. How did that arise? Here they had the fact that the local gentry of Ireland were not embodied in any feeling of sympathy with the masses of the people of Ireland; and although the masses of the people were now removed from the time when it was made felony to educate them, they yet were exposed to sufferings in connection with it such as had that evening been described. It was frequently said in that House, and he felt bound to repeat it with sorrow, that the gentry of Ireland had so completely failed in sympathy with education in Ireland that there was no comparison between them and the gentry of England and Scotland. There was the blot. The failure was not in the State assistance. He would go further, and say that the middle classes in the large towns had not come forward to aid the schools as the same class had done in England. It would be false patriotism to deny that if the pennies which went every Saturday to other tills went elsewhere there would be no call to apply to the national Exchequer. There was no question of that truth. He did not want on that occasion to present Ireland in the position of asking a fresh dole. The failure arose out of the non-recognition of the national schools in Ireland which had been accorded to England and Scotland, and the consequence was that the gentry and middle classes were alienated, and had no sympathy with a system which had no relation to the wants and especially to the religious feelings of the whole people. It had been said, in fact, that the education given was seditious in itself, and it had been discouraged as much as possible. Patriotism and religion were banished from the Irish schools. He stated as a fact that everything breathing of patriotism was as a consequence frowned upon and was banished from the school books, and he challenged contradiction. They had made the Irish school books barren of every attraction, and could they wonder that it was decaying and dying all over Ireland? Why, in the 22 school books of the National schools of Ireland, the name of their own country was only twice mentioned. If that was the case, how could it be expected but that there should have been a deficit in local subscriptions? The pith of the case was that the National school teacher was pinched between the State and the neglect of the people, who wanted a system of education according to their own wants and tastes. The people had left the schools, and that was the reason why this great failure had occurred. And yet they called this a national system. Why, it was an insult to the people. But why should the national schoolmaster be the victim of this unhappy state of things? He appealed to the Government to take some steps—he did not say what they should be—but he did ask that the Irish teacher should not be crushed between two millstones, or crushed and humiliated. He did not ask that they should be made independent, but he did ask that some decent provision should be afforded them. Evil would be the day when they entered the school-room without being actuated by a feeling of sympathy which would make them more useful, because more heartily in accord with the feelings of those who were to be instructed, and of those who must, in order to make any system effective, co-operate in making it so.

MR. O'REILLY believed that the present inadequate remuneration was driving away the best class of teachers into other paths of life, and that was in itself a great national loss. With respect to residences for the teachers, he thought that pressure ought to be brought to bear by the right hon. Baronet the Chief Secretary for Ireland upon the localities to provide them, and this would prove to be a welcome boon. But the real difficulty existed in connection with the question of salaries and pension, and it was one which on many grounds deserved the earnest attention of Her Majesty's Government. It had been said that Ireland did not contribute as largely towards the cost of primary education as England did; but it should be remembered that Ireland was a poor and England a rich country, and that the system of education to which the people of Ireland were expected to contribute was one with which they were not satisfied. Still, he thought the Irish Members would perform a patriotic duty, if they insisted on a greater amount of aid being rendered by those who were able to afford it. The provision made by the right hon. Baronet that the salaries of the teachers might be supplemented by contributions from Boards of Guardians had failed, though he readily admitted that the intention out of which it arose was good. In conclusion, he wished it to be understood that if his hon. and learned Friend the Member for Kildare had proposed to make that system compulsory he should not have supported the Motion before the House; but he had his hon. and learned Friend's permission to say his Motion did not imply any such intention.

SIR MICHAEL HICKS-BEACH said, the Motion of the hon. and learned Member for Kildare involved questions of so much importance and difficulty that he was sure the House would excuse him from entering into many of the topics which had been touched upon in the course of the discussion. In attempting to deal with the subject-matter of the Motion he had steadily kept two points in view. He had not so much thought it necessary to put additional money into the pockets of more or less deserving teachers, as to do what he could to insure that a more efficient staff should be provided for giving education in Irish schools; and in considering the means available for the purpose he had not lost sight of the disproportion which existed in Ireland between the amount of money contributed for educational purposes from Imperial and local sources. The hon. and learned Member for Kildare had not included the question of teachers' residences in his Motion, although he had referred to it in his speech. He supposed from this that the hon. and learned Member approved the way in which the Government dealt with this branch of the question in their Bill of last year, by undertaking in the case of vested and non-vested schools to supplement contributions from local sources for the purpose of providing teachers' residences. Her Majesty's Government had acted in a similar spirit in reference to incomes by adding to the amount voted by the guardians by way of result fees earned by the teachers. The scarcity of local contributors in Ireland, as compared with England and Scotland, had been attributed to the system of education supported by the Government not being acceptable to the public; and that system was denounced by the hon. Member for Louth (Mr. Sullivan) as one that banished from the schools the slightest recognition of religion. In answer to that, he could only say that from his experience, he believed the religious idea was as much represented in the system of education in Ireland as in the system which now prevailed in England. In 1874 there were 1,789 clerical managers, of whom

1,252 were Roman Catholics, as against 989 lay managers. Would those clerical managers act if the slightest recognition of religion were banished from the schools? When 1,000,000 Irish children of all denominations were on the rolls of those schools the system had a fair claim to be considered national, and when the parents accepted for their children the education given in those schools, could they fairly urge their dislike of the system as a reason for declining to contribute a small portion of its cost? He thought it would be admitted there was no longer any force in the claim on the part of Ireland to be exempted from local contributions on the ground that the system was not a national one. Nor did it seem that such a view was now taken in Ireland to any great extent: for it appeared from a Return just presented to the House that out of 163 Unions, it was in four only that they objected to vote money upon the ground that the system was not national. When speaking on this subject in 1874, while admitting that some measures ought to be taken to improve the position of the national teachers, he pointed out the necessity of looking to local contributions for this purpose: and by the measure of last Session he had attempted to evoke such local contributions. No doubt, such a policy was now even more urgently required than when his predecessor in office (the Marquess of Hartington) had recommended it: for while the local contributions amounted only to some £56,000 in 1868 as compared with State aid to the amount of £270,000, they were but some £70,000 in 1874, as compared with State aid to the amount of £448,000. Referring to the effect of the Act of 1875, he found that it had been adopted in about 70 Unions, including those of Dublin, Cork, Waterford, and Belfast; the total valuation of the contributory Unions being over £7,000,000, as against the valuation of £6,000,000 of the non-contributory Unions. What was the position of the teachers under the Act in the schools of contributory Unions? They had obtained £32,000 from the Unions as payment for results, £64,000 from the Treasury for the same purpose, and £32,000 increase in the salaries, making a total of £128,000 as against £64,000 that they might have earned by way of results fees under the system in force last year. That, he thought, would be admitted to be a very satisfactory improvement in the position of the teachers in contributory Unions. Coming to the non-contributory Unions, he would admit that the condition of the teachers in them was very different from that of teachers in contributory Unions; but their position, as a whole, was better than it was in 1874-5. The increase of salaries was a special boon to the teachers of the smaller schools, who were the class to which the hon. and learned Member for Kildare had always referred as being peculiarly in need of better pay: and they were able to earn a certain sum in addition by result fees. The total incomes of the whole body of teachers in non-contributory Unions during the current year might be taken approximately at £3,500 more than in 1874. It must not be considered, however, that the whole time of the teacher, particularly in these small schools, was entirely devoted to the work of the school. It was obvious that he had, and must have, other means of obtaining a livelihood. ["No, no!"] There was no doubt whatever that beyond the income from the school, he earned not unfrequently much more in the way of payment from pupils, which was never heard of by the Commissioners of Education. The losers by the new system in non-contributory Unions had mainly been large schools and the convent schools; but he would remind hon. Members from Ireland that, according to the Revised Code of the Education Department in Great Britain, schools now lost a portion of the Government Grant earned by them for results, if there was a failure of local aid. He could say on behalf of the Act that he thought, in spite of what had been said, that it had in many ways even in non-contributory Unions done no little good, and he knew, as a matter of fact, that among the strongest supporters of the Act almost invariably had been found the Irish landlords, on whom the hon. Member for Louth had made some observations which seemed to him hardly fair: for in this way many of them had shown that they were not indifferent, but ready to tax themselves for the purposes of national education. He was bound to admit that the success of the Act had not been all that he had hoped; on the other hand, it had been more successful than many of his hon. Friends in Ireland had predicted. It had done this—it had added to local contributions, which before were very scanty, an annual sum of £32,000 for two years; but more than that, it had initiated a better system of local contribution in Ireland, and done something to induce the wealthier classes to take more interest in the education of the people. When he proposed it last year, he said it was merely a tentative measure. It might fail, and if it did it would rest with the House, at a future period, to amend it. He confessed, however, he still looked forward with great hopes to its ultimate success, without the necessity of fresh legislation. Yet he admitted that something required to be done to meet the case of teachers in non-contributory Unions. To decide what that should be was not easy: and looking to the recent date of the Act which had been under discussion, he thought the House would readily allow him time to consider how this difficulty might best be met. He could hold out no hope that the entire sum requisite should come from the Imperial Exchequer. That would be not only a mistake in itself, but it would be a more fatal mistake now than at any former period, when they had endeavoured to obtain, and had been so largely successful in obtaining, local contributions for Irish education. Nor was he prepared to propose that the voluntary rate should be changed into a compulsory rate for the whole of Ireland. Another suggestion had been made by the hon. Member for Longford (Mr. O'Reilly), which was something akin to what had been recommended by the Royal Commission—that the grant should bear a fixed proportion to local contributions. That suggestion, on the whole, commended itself to his mind as the best, but he could not express any definite opinion on the part of the Government as to the course which ought to be pursued. As to securing to Irish National school teachers pensions upon retirement from old age or ill health, he might say that he had communicated with his right hon. Friend the Chancellor of the Exchequer on the subject; but it was right to add that this was perhaps the most difficult part of the question brought forward, because it must be borne in mind that the teacher was more the servant of the school managers than of the Government, and that the Chancellor of the Exchequer might, if pensions of any kind were conceded to Irish teachers, be called upon to meet a similar demand from Great Britain. It was asked why they did not bring the teacher more under the control of the Government; but if such a thing were attempted, there were thousands of schools in Ireland which might be withdrawn from educational purposes by their managers, and the Government would then be compelled to provide not only fresh teachers, but fresh schools too. The only feasible solution of this question that had been suggested, appeared to be that the teacher should obtain a certain annuity from the Government on showing that he had provided a Post Office annuity, or something of the kind, for himself. He could assure the hon. and learned Member for Kildare that the whole subject had by no means escaped his attention, and he was anxiously endeavouring to arrive at some satisfactory solution of it. He hoped, therefore, that the hon. and learned Member would not force a division on his Motion.

MR. MELDON: After the statement of the right hon. Gentleman, which, I think, means something will be done this Session, I shall, with the leave of the House, withdraw my Motion.

Amendment, by leave, *withdrawn.*

THE TICHBORNE CASE—THE QUEEN *v.* CASTRO—EVIDENCE OF WITNESSES.

OBSERVATIONS.

MR. WHALLEY, in rising to call attention to the statements of certain deponents to affidavits stating that the convict Castro, alias Orton, was not Arthur Orton, and to ask, Whether the Secretary of State for the Home Department would take notice of such evidence as might be brought before him as to perjury committed against the convict on the Tichborne trial, with a view to prosecuting such persons for perjury in the event of there appearing to be reasonable and probable grounds for such prosecution, said, that his Notice arose out of a Question he put a night or two ago to the right hon. Gentleman the Secretary of State for the Home Department with reference to affidavits made in behalf of the Tichborne Claimant, and charging some of the witnesses with perjury who had sworn that he was Arthur Orton. He represented on that occasion the feeling of some half-a-million of persons who had signed Petitions for the release of the Claimant, and of some millions of persons—and their number was still increasing—who sympathized with him and desired his release. Though he took no part in getting up Petitions in favour of the Claimant, he certainly did sympathize with the observations of the learned Judge who tried the case on the occasion of one of those unprecedented progresses which he had thought fit to make through the country, when he referred in strong terms to the agitation which had taken place on the question, and which was calculated, as he suggested, to undermine public confidence in the fair administration of justice. It had been his (Mr. Whalley's) desire, feeling that this matter could not remain where it was, so to act that it should be discussed in a calm and quiet way, and in a manner likely not to undermine, but to restore public confidence in the administration of justice. The right hon. Gentleman the Home Secretary said in answer to the Question, that he had dealt with the case as he had dealt with every other. That statement, however, he must take leave to deny. The right hon. Gentleman, on the contrary, had deliberately departed from the ordinary practice of the Home Office, and lost sight of its almost recognized character of a Court of Appeal in criminal cases, by refusing to give attention to the affidavits to which he referred, a course which he had never known the right hon. Gentleman to take in any other case. The right hon. Gentleman had thought fit, notwithstanding that the Home Office had repeatedly intervened, even in cases of murder, to stop or abridge the execution of criminal sentences, to treat the affidavits sent to him by the relatives of Arthur Orton as not worthy of being sent for consideration to the learned Judges who presided at the trial, although he knew that those Judges had held that the evidence of these particular deponents was most important in the case. There was this one peculiar feature in the case he ventured to bring under the notice of the House. The right hon. Gentleman the other evening said that those relatives of Arthur Orton who made affidavits ought to have been produced on the trial for the purpose of undergoing cross-examination. But how stood the matter? The person the convict employed as his counsel refused the earnest entreaty of every person interested in the case to produce them, and the convict should not be held responsible for the conduct of his advocate. That advocate, the hon. Member for Stoke, was present in the House, and could give his explanation if he pleased to do so. It was not for him (Mr. Whalley) to make any observations on the conduct of the hon. Member for Stoke. With that hon. and learned Gentleman he sympathized in the course of the persecution to which he had been subjected; but that persecution, and that persecution alone, if rumour spoke truly, had conferred upon him a great fortune, had placed him in the position of a great political Leader, and had secured for him for the time being a seat in that House. Without desiring to make any remarks on the means by which that object was effected, or whether his advocacy of the cause of the convict and his subsequent career merited or not such recognition, he asked was it fair or right to make the unhappy convict responsible for the conduct of this advocacy, when such advocacy, from the highest judicial authority, the Lord Chief Justice of England, had been in every possible manner denounced as unworthy of the confidence of the country, and of the unhappy man himself? The responsibility of his conduct would no doubt be accepted by the hon. and learned Member for Stoke, who, of course, would not deny that he had peremptorily refused to allow those witnesses to be produced, and that his refusal had caused dismay and dissatisfaction among the many friends of the convict. With absolute authority he refused; and for that, and that alone, the right hon. Gentleman said that counsel should be held responsible, but the effect was to deprive the convict of the advantage of most important testimony that could not be impeached. Mr. Anthony Wright Biddulph, a man pronounced by the Lord Chief Justice to be wholly incapable of wrong, had presented these affidavits; but the right hon. Gentleman said they were useless, because the parties tendering them could not be subjected to the cross-examination that was necessary. But if the right hon. Gentleman believed that persons were guilty of perjury and conspiracy, then they ought to be indicted, and such a proceeding would afford a clue to the conspiracy and fraud which caused such an enormous outlay of money, and for so long agitated the country. At all events, the right hon. Gentleman ought to give an assurance that he would assist Mr. Anthony Wright Biddulph and others who were willing to come forward and prosecute those guilty of conspiracy and fraud against the convict, if sufficient evidence were laid before him to justify the expectation that there was probable ground for a conviction.

Mr. ASSHETON CROSS said, that he had nothing to complain of with respect to any of the numerous communications which the hon. Member for Peterborough had thought fit to address to him since he entered upon his duties at the Home Office, or as to the course of conduct he felt it his duty to pursue. In the course of the last year or two he had answered a good many Questions on this subject, and he hoped that with reference to them the Statute of Limitations would soon come into operation. He would not, of course, detain the House by entering into an examination of the question in dispute between the hon. Member for Peterborough and the hon. Member for Stoke, as to the particular course which should have been pursued on the trial regarding certain suggested witnesses. All he could now say and repeat was, that he had read every Petition and every Paper which had been presented to him bearing on this case, and he was bound to give the House his judgment thereon. He had seen no document which raised the slightest doubt in his mind as to the convict's guilt and the justice of his conviction. That being so, he was bound to act on his judgment, and advise accordingly; and if in any advice he had tendered to the Crown he had acted improperly, of course, he was responsible for it. At the present moment it was not his intention to advise the Chancellor of the Exchequer or the Treasury to grant funds for the prosecution of any persons whose names had been brought before him. No case had been made out on which they could be prosecuted; and until that was done, he should not call upon the public to bear any further expense in the matter. He hoped the hon. Gentleman would not charge him with discourtesy if he did not enter on this subject at further length. He believed the House were in possession of all the facts, and if there was anything further required he should be happy to give it.

Dr. KENEALY: Under ordinary circumstances when a Member is attacked in this House he is allowed to reply. I have listened to the observations of the hon. Member for Peterborough, and having considered whether I ought to give any answer to them, I have come to the conclusion that his observations are beneath my notice.

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—CIVIL SERVICES (EXCESSES, 1874-5).

Supply—*considered* in Committee.

(In the Committee.)

(1.) £23,585, 1*s.* 8*d.*, Excesses on Grants for Civil Services for 1874-5, viz.:—

Class I.

	£	*s.*	*d.*
Royal Palaces	23	13	1
Public Buildings	2,460	12	2
Furniture of Public Offices ..	6	17	1
Houses of Parliament (Buildings)	372	3	5
National Gallery, Enlargement	1,864	5	4
Portland Harbour	24	10	0
Lighthouses Abroad	1,763	7	9

Class II.

	£	*s.*	*d.*
Home Office	73	1	8
Privy Seal Office	12	0	4
Registrars of Friendly Societies	162	15	4
Public Works Loan Commission and West India Islands Relief Commission	19	4	7
Stationery Office and Printing ..	4,110	8	1
Exchequer and other Offices in Scotland	9	19	10
Fishery Board, Scotland ..	27	19	0
Register Office, General, Scotland	111	11	11
Household of the Lord Lieutenant of Ireland	59	7	8

Class III.

	£	*s.*	*d.*
Police Counties and Boroughs, Great Britain	1,349	6	5
Convict Establishments in England and the Colonies ..	924	10	6
Law Charges and Criminal Prosecutions, Ireland	3,830	10	4

Class IV.

	£	*s.*	*d.*
University of London	13	19	10

Class V.

	£	*s.*	*d.*
Diplomatic Services	3,172	5	11
Consular Services	645	0	5

Class VI.	
Relief of Distressed British Seamen Abroad	2,185 16 1
Class VII.	
Deep Sea Exploring Expedition	361 14 11
	£23,585 1 8

CIVIL SERVICE ESTIMATES, 1875-6.

(2.) £18,000, to complete the total amount estimated for Embassies and Missions Abroad for 1875-6.

CIVIL SERVICES AND REVENUE DEPARTMENTS, SUPPLEMENTARY ESTIMATES FOR 1875-6.

Class I.

(3.) Motion made, and Question proposed,

"That a Supplementary sum, not exceeding £4,750, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1876, for the Maintenance and Repair of Royal Palaces."

Lord FREDERICK CAVENDISH thought these Votes ought not to pass *sub silentio*, and would like to know whether the £1,500,000 of Supplementary Estimates which the Committee was being asked to vote was covered by the Budget Estimate of the Chancellor of the Exchequer? He considered the question of some importance, looking at the narrow surplus of last year.

The CHANCELLOR of the EXCHEQUER said, the Revenue for the year was sufficient to cover the whole.

Mr. FAWCETT thought the question of the noble Lord an important one. Would these Supplementary Estimates make the year's expenditure exceed the year's Revenue? He would move to report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Fawcett.*)

The CHANCELLOR of the EXCHEQUER said, he must repeat that there would be revenue sufficient to cover these Estimates, leaving out the Suez Canal purchase.

Mr. DODSON expressed dissatisfaction with the statement of the right hon. Gentleman the Chancellor of the Exchequer.

Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

(4.) £18,944, Sheriff Court Houses, Scotland.

Mr. MONK asked for some explanation. The original estimate of the cost in connection with these Court Houses was £14,700, the sum which had been already voted was £8,550, and now they were asked for £18,944 more.

Mr. W. H. SMITH said, the money had been expended under the authority of an Act of Parliament. It had been found necessary to increase the accommodation of the Sheriff Courts in Glasgow, and when the purchase was made, the Treasury had no alternative but to pay the money.

Vote *agreed to.*

(5.) £1,233, National Gallery, Enlargement.

(6.) £1,500, Ramsgate Harbour.

(7.) £250, Chapter House, Westminster.

(8.) £36,920, Public Offices Site.

(9.) £4,200, Public Buildings, Ireland.

Mr. SULLIVAN called attention to the disgraceful state of the pavement under the portico of the General Post Office in the City of Dublin. The pavement had been laid down in 1815, and was in a worn out, broken, and most dangerous state, abounding in holes. What did the Committee think the Government did recently? They set two stonecutters to patch, plaster, and darn the holes in the pavement at a cost of about £2 10*s.*

Mr. W. H. SMITH promised to enquire into the matter.

Vote *agreed to.*

(10.) £2,762, British Embassy Houses and Consular and Legation Buildings.

Class II.

(11.) £1,200, Home Office.

(12.) £1,450, Colonial Office.

(13.) £1,200, Charity Commission.

(14.) £1,124, Friendly Societies Registry.

(15.) £329, Public Works Loan Commission, &c.

(16.) £27,900, Stationery and Printing.

(17.) £600, Office of Public Works, Ireland.

(18.) £2,055, Register Office, General, Ireland.

(19.) £1,256, Pauper Lunatics, Ireland.

Resolutions to be reported.

CLASS III.

Motion made, and Question proposed,

"That a Supplementary sum, not exceeding £5,250, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1876, for the Salaries of the Law Officers of the Crown, and the Law Charges, Salaries, Allowances, and Incidental Expenses, including Prosecutions relating to Coin, in the Department of the Solicitor for the Affairs of Her Majesty's Treasury."

House *resumed.*

Resolutions to be reported upon *Monday* next;

Committee also report Progress; to sit again upon *Monday* next.

SALMON FISHERY (PROVISIONAL ORDER) BILL.

On Motion of Sir HENRY SELWIN-IBBETSON, Bill to confirm a Provisional Order made by one of Her Majesty's Principal Secretaries of State in pursuance of "The Salmon Fishery Act, 1873," relating to the River Tees Salmon Fishery District, *ordered* to be brought in by Sir HENRY SELWIN-IBBETSON and Mr. Secretary CROSS.

Bill *presented,* and read the first time. [Bill 110.]

CRAB AND LOBSTER FISHERIES (NORFOLK) BILL.

On Motion of Mr. FREDERICK WALPOLE, Bill to preserve the Crab and Lobster Fisheries on the coast of Norfolk, *ordered* to be brought in by Mr. FREDERICK WALPOLE, Sir ROBERT BUXTON, and Mr. COLMAN.

Bill *presented,* and read the first time. [Bill 109.]

House adjourned at Two o'clock,
till Monday next.

HOUSE OF LORDS,

Monday, 20th March, 1876.

MINUTES.]—PUBLIC BILLS—*First Reading*—County Palatine of Lancaster (Clerk of the Peace* (34); Burgesses (Scotland) * (35).
Second Reading—Telegraphs (Money) * (29).

FUGITIVE SLAVES—COOLIES.

QUESTION.

LORD STANLEY OF ALDERLEY asked the Secretary of State for Foreign Affairs, Whether in the Instructions to be issued to naval officers respecting Fugitive Slaves, Her Majesty's Government will provide the same measures of protection for fugitive coolies as fugutive slaves? Before putting the Question he would observe that the Anti-Slavery Society and those who worked with it were decidedly of opinion that there was no difference between the *status* of the coolie and that of the slave, and they were going to make hay while the sun shone, and do their best, now that public attention had again awakened, to alleviate the hardships endured by coolies. It was not, however, necessary for his argument that any of their Lordships should accept that view. It was sufficient that it had been laid down by the "leading journal" that not only danger to life, but also the fear of a brutal flogging justified running away, and a captain of one of Her Majesty's ships in protecting the fugitive; for it was undeniable that coolies were flogged and subjected to ill-treatment. A Cuban correspondent of the Aborigines Protection Society wrote as follows:—

> "On arriving at Havannah the Chinese are treated exactly like the negroes. They are confined in large barracoons, and sold individually or in lots by a mere endorsement of their contracts, and then taken to the sugar plantations. On the plantation the Chinese labourer is treated as a slave. His scanty wages—a fourth less than is earned by many of the negroes—hardly suffice to supply him with the necessaries which, from the poverty of his own fare, he is compelled to buy. The frequency with which the Chinese commit assassination or suicide is the best proof of their desperate condition in Cuba. Formerly the Chinaman recovered his liberty of action on the expiration of his original period of service; but recent ordinances imposed by Spain compel him to be always under a master or patron, or at once to leave the country, which, of course, for want of means he is unable to do so. Thus the servitude of the Chinese practically becomes life long."

If that statement was not sufficient authority, he could cite some cases from our own colonies, which had been judicially proved. There were the two Hindu coolies who died of flogging in Province Wellesley. There was a coolie in Mauritius who was trampled to death, and whose case was thus described in a recent address of the Aborigines Protection Society to the Secretary of State for the Colonies—

> "We refer in the first place to the trial of a Frenchman named Tampier, for causing the death of an Indian labourer on the estate of M. E. de Chazel. The evidence unquestionably disclosed the most brutal violence on the part of the prisoner, and yet on the trial the jury only convicted him of a common assault, and at the same time strongly recommended him to mercy, while the columns of the local Press have since borne witness to the public sympathy which was felt, not for the victim, but for his murderous assailant."

These were facts established. Now suppose that one of Her Majesty's ships was at anchor in a Cuban port, and at night two men came off in a boat or swam to her—one was a negro slave born in Angola, the other was a Chinese coolie kidnapped at Macao. Next day before noon an official came on board with a request from the authorities of the port for the delivery of the two fugitives. Well, what would the captain do with the coolie, if his instructions had not prepared him for this contingency? There were some who quoted Vattel to prove that a nation might disregard the comity of nations—or what was due to other nations—in obedience to its own judgment of what its conscience prescribed to it, and others had blamed the noble Earl the Secretary of State for Foreign Affairs because he had preferred to respect the comity of nations and the law of nations, and in order to do so, had not scrupled to trample on the reputation and judgments of the great Lord Stowell. There was another possibility. The French nation had set up the principle that there should not be any "*exploitation de l'homme par l'homme,*" and this was one of the principal cries of the Revolution of 1848. It was very difficult to translate the phrase. The nearest translation he could suggest was, "No man shall make a profit out of another man to his disadvantage." The French or any other nation, acting on those principles, might in the ports of our colonies rescue discontented coolies just as we rescued fugitive slaves. The mere possibility of such a thing showed that we had also a vulnerable point if the comity of nations was to be made light of. The noble Lord concluded by putting the Question.

THE EARL OF DERBY said, he did not think it would be advisable to lay down any fresh instructions bearing upon the particular case to which his noble Friend had referred. In the first place, it was not desirable that any new instructions respecting fugitive slaves should be issued at all, pending the inquiry which the Commission had already commenced, and whose Report he hoped would not be long delayed. In the next place, whereas it was certain that many cases of fugitive slaves coming on board Her Majesty's ships had occurred, he was not aware of any instance in which a fugitive coolie had so presented himself. Such a case might, perhaps, have occurred; but if it had, he had been unable to find a record of it in any of the Papers which he had felt it his duty to look through. Therefore he did not think that any advantage would be gained by laying down general rules which could not have any application; in other words, he did not see the advantage of providing against a contingency which never had arisen and possibly never might arise. Having said that in answer to his noble Friend's Question, he would point out that there was a very wide distinction—looking at the matter in its legal aspect—between the case of an escaped slave and that of a coolie who took refuge on board our ships. It might be true that in some places coolies had suffered much, and that in those places their condition did not practically differ much from that of slaves; but from the legal point of view there was this great distinction—that where the coolie had been treated as a slave, that was done, not in accordance with the law of the land, but in violation of that law, while, on the other hand, the fugitive slave sought to be taken out of the operation of the law of the country from which he was escaping. When anything was done in the case of the coolie contrary to the law of the land in which he was serving, he had an appeal to the authorities of the country. If he happened to be a British subject, it was competent to the captain of one of Her Majesty's ships to represent his case to the British Consul, and through him to the local authorities. If he were not a British subject, we should have no *locus standi* for interference, except on the simple ground of humanity, and in that case the matter would probably best be dealt with by an unofficial representation from the British Consul. The matter was one in which it was not, in his judgment, necessary or expedient to lay to lay down a general rule.

EGYPT—THE SLAVE TRADE.

RESOLUTION.

Lord DE MAULEY rose to move—

> "That this House regrets that the policy of the Government was not directed to the suppression of the Slave Trade, in its recent transactions with the Khedive of Egypt."

The noble Lord said, he thought the Circulars of the Government which had been, and probably would be, handled over and over again, did credit to the zeal of the Government in the cause of suffering humanity. He only wished they had gone further, and compelled those whom we had the power to coerce to co-operate with us in the extinction of the slave trade—that it would have left no slave to seek shelter under the protection and authority of England. He was aware of the difficulties. There was the religious profession of the Mussulman, which recognized property in man; there was the value of a trade so lucrative that if one victim out of four survived it was remunerative; there was the duplicity of Rulers, ready in profession, but backward in action, to contend against—but with all the difficulties of position, the nature of the trade, and the supineness of Rulers, England had only to insist, and the slave trade ceased. We gloried in the exertions of a Clarkson and a Wilberforce — the still more practical efforts of a Palmerston; but while we were successful in checking the exportation of slaves to the West, that success drove the full force of the traffic on the Continent of Africa. The North and the South and the West were comparatively free from it; for although slavery was a national institution, the worst features of the trade were absent from those quarters—it was the centre which was the plague spot of the world to supply the Mussulman nations of the East. The two chief upholders of slavery were the Mahomedan nations of Turkey and of Egypt—one a country existing merely for the convenience of Europe, the other a country rising into importance under the combined influence of England and France, the two most civilized nations of the globe. The Khedive, in answer to a deputation, said that were the demand to cease the slave trade would die off in 15 years. He calculated the life of a slave at 15 years' purchase—a most horrible fact of statistics, when human life under Christian rule could be counted at 30 years. The second generation of slaves in Turkey were rarely seen; the third never—the gaps in the population had to be supplemented from the populous regions of Africa. He turned from that branch of the subject to its practical side, and he thought that if the matter were viewed in detail the difficulties which appeared to surround it would vanish. There were three preserves for the slave marts of Africa—the borders of the Nile, the interior of the country, and the shores of the Indian Ocean. There were three routes by which the slaves were conveyed—the banks of the Nile, the river itself, and the Red Sea. Slaves from Abyssinia were driven towards the Red Sea, on their way to the markets of Arabia; those from the Nile followed the same course, after leaving supplies for Egypt; those from the interior it was more difficult to trace from the boundless expanse of the deserts, but their destination was the same—towards the Nile, to supply the Mussulman nations of the world. They had, then, two routes out of three which would be closed by the vigilance of a friendly Power. But there was no such interference. The slave trade, as far as the banks of the Nile and the river itself, were mere matters of police, and the Red Sea could be effectually guarded by cruisers. Those from the interior, he admitted, it was more difficult to deal with from the trackless wastes through which they travelled; but the destination of the victims was the same. The goal they reached was Egypt, which ought to be a Liberia; practically it was a slave-hold. No reliance could be placed on the professions of Mahomedan Governments; slavery was sanctioned by their religion, custom, and tradition; neither Rulers nor servants could be trusted. The most powerful offender was the Khedive; both from position, character, and resources. When Egyptian journals announced the decline of the trade, it was active; when vigilance was relaxed, the caravans were moving; and the Khedive was quiescent. Were he honest in his professions he would make property in man felony, their transit by water piracy. Khartoom was little better than a barracoon, where agents appointed by English Consuls placed the flag of England upon the roofs of their houses, within a shop for the barter of slaves—the emblem of liberty flying over the shackles of slavery! The land routes all converged to the same point, Egypt, the Nile bearing its living cargo to the same point, the authorities cognizant of the fact—cognizant also of the lukewarmness or duplicity of the Khedive. He was aware of the inconvenience of bringing this subject under their Lordships' notice in the absence of any statistics. There were none. They only knew that slave marts existed for the purpose of the slave trade, and that no steps were taken to check it. It was supposed that 100,000 were annually driven to slavery, a remnant only representing the bloodshed and barbarity of their capture. As long as the Potentates of those countries allowed the supply to continue the demand would exist, until they learnt, or were compelled to learn, that the labour of the man was of more value than the man himself—that he was of more value on the land than off it. As the Khedive of Egypt had just been raised by our wealth and was supported by our counsels, he ought to be compelled to learn that that the worst commerce which could afflict a country was the traffic in human beings. It was supposed that the Khedive of Egpyt ruled over a population of 10,000,000. How many more were to be driven into the vortex of slavery by his armed forays against unarmed nations it was impossible to calculate. The idea of commerce in such a case was a delusion. Free labour would not exist with slave labour. It was as impossible of fusion as oil with water. They had seen that in the Southern States of America extension of territory meant an extension of the slave trade. But if there was no limit to territorial aggrandizement, there was a limit to the forbearance of society. Would England allow the chains of bondage to be cast over these vast and unprotected nations, when the mere expression of her opinion could regenerate Africa and save countless millions from the horrors of slavery?

Moved, to resolve, That this House regrets that the policy of the Government was not directed to the suppression of the Slave Trade in the transactions with the Khedive of Egypt.—(*The Lord De Mauley.*)

THE EARL OF DERBY said, it was impossible for the Government to accede to the Motion of the noble Lord, but he thought he could give a satisfactory answer to the statement contained in the noble Lord's Resolution. His answer was, that during the last four months Her Majesty's Government had been engaged in negotiating with the Khedive for the suppression of the slave trade, and he hoped those negotiations would result in the effectual suppression of that trade. He was not able to go into particulars; all who were experienced in negotiations knew that, however well parties might be agreed as to principles, there were always a good many details to decide upon, which were surrounded with difficulties, and the settlement of which took time. The negotiations in this case had been going on since November last, and the Government had found the Khedive very willing to meet them in a spirit of friendship and co-operation. It would be premature to speak of the results of a negotiation which was not closed, but he hoped it would be such as to be satisfactory to Her Majesty's Government and their Lordships' House. That being so, he did not think their Lordships would ask him to enter in a general discussion of the slave trade. It was admitted that as far as the East African slave trade was carried on by sea, if not entirely put down, it had been to a great degree suppressed. With regard to the inland slave trade, we had not been able to exercise any active influence such as we had on the seas; but there could be no doubt that if that trade were suppresed throughout the Egyptian dominions, such a suppression would go to a great way towards the total extinction of the traffic. He would only remark on that point that whatever might be the power of the Khedive to deal effectually with the slave trade in his territories, he thought there was no reason to doubt his good will. Everybody could understand that it was not easy for him to make his authority respected in some of the remoter parts of those lands, and consequently in the more distant parts of the Egyptian territories many things might be done which were not in accordance with English views, or with the policy of the Egyptian Government. The Khedive had manifested a good will to suppress the trade by the introduction of legitimate commerce. He believed, indeed, that no Viceroy of

Egypt had ever given more consistent and persevering help towards the accomplishment of that object. He supposed the noble Lord would not feel it necessary to press his Resolution.

Lord DE MAULEY said, that after the satisfactory statement of the noble Earl, he was willing to withdraw his Motion.

Motion (by leave of the House) *withdrawn.*

UNIVERSITY OF OXFORD BILL—THE COMMISSIONERS.

QUESTION. OBSERVATIONS.

The Marquess of LANSDOWNE asked the Secretary of State for India, Whether he will communicate to the House the names of the Commissioners to be appointed under Clause 4 of the University of Oxford Bill on a day earlier than that fixed for Committee on the Bill? He added, that he trusted the noble Marquess would not suspect him of having placed this Question upon the Paper, either with the view of gratifying an idle curiosity, or in the hope of embarrassing the progress of the measure. He had placed the Question on the Paper solely in the belief that it was one to which they were entitled to obtain an answer; and that, without the information for which he asked, they would approach the Bill in Committee under very considerable disadvantage. It was stated in the late debate by the most rev. Prelate that this was a case in which everything depended not upon the nature of the measure, but upon the character of the men who were to carry it into effect. He asked the noble Marquess to tell him who those men were to be? Some of their Lordships were no doubt preparing Amendments, and information upon this point might have an important bearing in reference to those Amendments. The more he looked at the Bill the more he was filled with apprehension at the prospect its various clauses offered. The Commissioners were to have vast and undefined powers, which would extend over a period of no less than seven years, and the only restriction on their action was an appeal to the Queen in Council. Therefore it was most desirable that their Lordships should know who they were to be. He was anxious to learn whether they would be few or many; whether they would be persons not only holding high positions in the Church, or in the law, or in their professions, whatever those professions might be, but whether they would be persons well acquainted with the system of the University, and with the position occupied in it by the different Colleges. He wished also to know whether the interests of Science would be represented on the Commission? He wished to know also whether the Commissioners would not only be men of high attainments, but whether they would have the time necessary to be devoted to the purposes of the Commission? The members of the University were watching these proceedings with great anxiety—not because they had an aversion to change, but because they saw the prospect of a diversion of revenues from purposes to which they had been hitherto appropriated, without any security that the new appropriation would be a wise one, because they were threatened with the substitution of a new and untried reforming agency for that power of self-reform, which had already been used with advantage in many of the Colleges; because, in a word, they were threatened with a new order of things without any guarantee that it would be an improvement upon the old. These apprehensions could only be quieted by a knowledge that the Commissioners were to be wisely selected, and that their names would inspire confidence in the University itself. He hoped, therefore, that before the Bill went into Committee the noble Marquess would give their Lordships the information for which he had asked.

The Marquess of SALISBURY would say at once that he thought the request of the noble Marquess an extremely reasonable one. Only that he was afraid that he might be unnecessarily occupying the attention of the House, he would have himself announced that it was his intention to state the names of the Commissioners on Monday next. He confessed he had been a little puzzled that, in making so simple a request, the noble Marquess should have found it necessary to preface it with an elaborate argument; but as the noble Marquess proceeded he thought he saw that the noble Marquess had intended the remarks just delivered for a speech on the second reading of the Bill, but had shrunk from delivering it on the evening when he (the Marquess of Salisbury), as the person having charge of the Bill, could not avoid the painful task of addressing a speech in reply to the weary and forlorn half-dozen Peers who were at that time in the House. He admitted that the powers of the Commissioners under this Bill were large; but when the noble Marquess said they were unprecedented, he quite forgot the legislation that had gone before. They were not larger than the powers given to the Public School Commissioners and the Endowed School Commissioners. The noble Marquess had referred to the Act of 1854, and asked why not give the Colleges the powers that were conferred by that Act? It was true that under the University Bill of 1854 the Colleges had a restraining power over the Commissioners which was not given by the present Bill; but those who made that an objection to this measure forgot the difference between the objects of the two Bills. The object of the Bill of 1854 was to apply the revenues of the Colleges for the benefit of the Colleges themselves. The object of the Bill now before their Lordships' House was to apply them not for the Colleges, but for the University to which the Colleges belonged. The statutes under the Bill of 1854 proceeded on what was conducive not to the interests of the University, but to the interests of the Colleges; those to be drawn up under the present Bill would proceed on what was conducive not to the interests of the Colleges, but to the interests of the University. Again, the Quorum of three Commissioners would have to sit besides another Quorum of three appointed by the College itself; so that the Colleges, instead of being reduced to a dead veto over the whole scheme, would have an opportunity of following the scheme stage by stage, and suggesting changes and voting for each particular proposition in the scheme. He acknowledged that the Bill had been received in the most candid spirit; and though the Government had put forward arrangements for carrying out the measure, they would not adhere to those arrangements with undue pertinacity, but would agree to changes if changes were thought desirable after the provisions of the measure had been considered by their Lordships and outside that House. When laying the names of the Commissioners on the Table he would give Notice of the Amendments which he meant to propose in certain clauses of the Bill, and he hoped that such of their Lordships as had Amendments to propose would give Notice of them at the same time.

WEST AFRICAN SETTLEMENTS—CESSION OF THE GAMBIA.

QUESTION. OBSERVATIONS.

Lord COTTESLOE said, he rose to ask the noble Earl the Colonial Secretary a Question of which he had given him Private Notice. It was in reference to the negotiations with the French Government as to the exchange of the Gambia for the French Settlements upon the West Coast of Africa. The noble Earl the Secretary of State brought the question before the House some weeks ago; but the result of the debate was far from being satisfactory, as it did not appear from noble Lords' speeches what policy the Government intended to pursue upon this important subject. The question had rested from that time to the present without anything more having been said upon it; but it was desirable that their Lordships should know something more from the noble Earl. He now wished to learn whether the Government would consent to the appointment of a Select Committee of Members of that House to inquire into the whole question—one which involved a great many considerations not only as regarded the interests of the people of the Gambia, but also those of this country? It was said there were French settlements on the Gold Coast, but the extent of their authority was not known, nor were we informed at what places they had any military or naval stations. The question was worthy of consideration, and therefore he begged to ask, Whether the noble Earl was prepared to give any further information in regard to it, and whether a Committee would be appointed?

The Earl of CARNARVON said, he knew the interest which his noble Friend took in reference to this subject, and therefore was not surprised that he should desire to have the fullest information in regard to it that could be obtained. Considering that in "another place" the Government had appointed a Committee of Inquiry, it was only natural that a similar proposal should be made in this House, seeing that it was particularly strong in colonial experience and knowledge—for he saw on the opposite side of the House three ex-Secretaries of the Colonies (Earl Granville, the Earl of Kimberley, and Viscount Cardwell) and another noble Lord who had obtained great experience at the Colonial Office (Lord Blachford). Therefore a Committee appointed by this House would be eminently fitted to sift such a question. But the objection which he saw to the appointment of such a Committee was, that the Committee of one House might come to a different conclusion from the Committee of the other; though that difference of opinion would, no doubt, be useful by bringing into relief points of difficulty in the case. But since the discussion in this House the circumstances of the case had undergone a considerable alteration. The prominent feature in the statement he then made to their Lordships was as to the acquisition of the exclusive and undivided control by the British Government of the whole of the seaboard in question. Nothing short of that, in his opinion, would have satisfied the requirements of the case or would have made it desirable for them to consent to the proposed transfer. Since he made his statement further communications had passed, and it now appeared that the French Government were unwilling to give up to them that entire and exclusive control of the coast which Her Majesty's Government expected, and upon which, of course, the articles of agreement were based. Under these circumstances they had no option but to abandon the negotiations. They had always held that the bargain was eminently favourable to this country, and it was, perhaps, not to be wondered at that the French should look at it in very much the same light. He knew how important it was that a question of that sort should not be unduly kept in suspense, and he was glad his noble Friend had given him that opportunity of stating that the negotiations were at an end, and that, of course, the appointment of the Committee in the other House had been abandoned.

House adjourned at a quarter past Six o'clock,
till To-morrow, a quarter
before Five o'clock.

HOUSE OF COMMONS,

Monday, 20th March, 1876.

MINUTES.]—Supply—*considered in Committee* — Supplementary Estimates — *Resolutions* [March 17] *reported.*

Ways and Means—*considered in Committee*— Consolidated Fund (£10,029,550 5*s.* 1*d.*)

Public Bills—*First Reading*—Marine Mutiny*.

Second Reading—Local Government Provisional Orders* [102].

Committee — Report—Royal Titles [83]; Drainage and Improvement of Lands (Ireland) Provisional Orders (No. 2)* [99]; Sea Insurances (Stamping of Policies) (*re-comm.*)* [93].

OYSTER FISHERY—HERNE BAY.

QUESTION.

Mr. PEMBERTON asked the President of the Board of Trade, What course he intends to adopt with reference to the last report of Mr. S. Walpole, one of the Inspectors of Fisheries, on the state of the Herne Bay Fisheries?

Sir CHARLES ADDERLEY: Sir, the Board of Trade would have acted on the Report which had been made to them by Mr. Walpole, and have issued a certificate in accordance with his recomendation; but, having regard to the fact that a Select Committee, of which the hon. Gentleman who asks the Question is himself a Member, has been very recently appointed to inquire into the reasons for the present scarcity of oysters, and possible legislation on this subject, I have thought it desirable to postpone issuing the certificate for the present, as it would be better not to allow a new state of things to commence until the Select Committee report.

CRIME IN IRELAND—RETURNS.

QUESTION.

Mr. HERBERT asked the Chief Secretary for Ireland, Whether he would lay upon the Table a Return showing the number of cases of murder, manslaughter, and heinous offences that have been tried during the recent assizes in Ireland, and of the convictions recorded; and a Copy of any opinions of the judges or Law Officers of the Crown as to the causes of any failure of justice, and of any recommendations made by them?

Sir MICHAEL HICKS-BEACH, in reply, said, that the assizes would not terminate until the 8th of next month, and it would be better for the hon. Member to defer his Question until a later date. He had no objection if the House wished it to give the Returns; but he was not, however, sure that it would be advisable to produce any opinions of the Judges or Law Officers of the Crown as to the cause of any failure of Justice and of any recommendation made by them.

ELEMENTARY EDUCATION ACT, 1870. "GODLESS EDUCATION."—QUESTION.

Mr. MAURICE BROOKS asked the Vice President of the Council, If his attention has been directed to a police report in "The Times" of the 16th March, as follows:—

> "Wandsworth. In a case of assault, a little girl, nine years of age, was examined as a witness. Mr. Bridge inquired if she was acquainted with the nature of an oath; the father said she was well educated. Mr. Bridge then questioned the girl, who said she did not understand the nature of an oath. She went to school. She never heard of the Bible, nor said prayers. Mr. Bridge declined to have her sworn, and said she appeared to be receiving a 'Godless education' in the school."

and, whether he can inform the House if the school referred to is one of those receiving Government aid or sanction?

Viscount SANDON: I have referred to the report in *The Times* of the painful case at the Wandsworth police-court to which the Question alludes, where a girl of nine years of age, said to go to school and to be well-educated, had never heard of the Bible. The hon. Gentleman the Member for Dublin does not tell me the name of the school where she was educated, nor do I find any name in the police report, so that I am unable to say whether it is receiving Government support. By asking me this Question, and thereby implying that some responsibility attaches to the Education Department in this matter, the hon. Gentleman appears to be unaware of the changes made in the relations of the State to the schools of England by the English Education Act of 1870. It is now a condition of the Government grant that it should not be made in respect of any instruction in religious subjects. The former provisions for securing some religious teaching in State-aided schools, as well as the examination of the children in religious subjects by Her Majesty's Inspectors, are given up under that Act, and the duty of the Education Department is now confined to securing that the requisite amount of efficient secular instruction is provided in all elementary schools. I cannot think, therefore, that any responsibility whatever can be held to rest with the Education Department respecting such a case as this to which the hon. Gentleman has called my attention.

NAVY—CONDEMNED SHIPS.

QUESTION.

Captain PIM asked the First Lord of the Admiralty, If he has any objection to give the names of the eight or ten frigates and the eight or ten corvettes, mentioned in his speech on moving the Navy Estimates as condemned; also the names of the eleven sloops as "unfit for general purposes?"

Mr. HUNT, in reply, said, he hoped the hon. and gallant Member would not press him to give the names of the ships which were condemned and unfit for general purposes. It would only be setting a bad precedent if he were to publish to all the world the existing state of ships in the Navy.

NAVY—LOWERING SHIPS' BOATS.

QUESTION.

Mr. T. E. SMITH asked the First Lord of the Admiralty, If, with a view to the prevention of loss of life at sea through the inability to lower ships' boats at all times, he would sanction a trial from one of Her Majesty's ships of known inventions for lowering and releasing ships' boats by one man?

Mr. HUNT, in reply, said, that several inventions of the kind had been tried, and were now being tried. The Admiralty would, he might add, be willing to try any further invention, if there was only a reasonable hope of its being successful.

POST OFFICE — AMERICAN TRANS-ATLANTIC MAILS.—QUESTION.

Mr. KINNAIRD asked the Postmaster General, in reference to the conveyance of the Mails from this Country to North America, If his attention has been drawn to the last Annual Report of the United States Postmaster General, which contains the recommendation, as a means of supplying an efficient steam marine available for immediate use by the Government in case of war, that provision should be made for transportation in American steamers of American Transatlantic Mails, and that such services should be compensated by fixed payments in excess of the ocean postage?

LORD JOHN MANNERS, in reply, said, his attention had been called to a paragraph in the Report referred to in the Question of the hon. Member; but he had not heard that any steps had been taken by the United States Government in consequence of that Report. From all the information he could obtain, he had no reason to believe that it was the intention of the Congress to grant subsidies in excess of the ocean postage for the conveyance of mails to Europe.

PUBLIC HEALTH—QUACK MEDICINES.

QUESTION.

COLONEL EGERTON LEIGH asked the Secretary of State for the Home Department, Whether he sees any objection to obliging all owners of quack medicines to declare the ingredients of which the doses are made previously to being allowed to sell them (as is done in France), since much illness and loss of life prevails, especially amongst young children, from the unrestricted sale of quack medicines, the basis of which is often laudanum or some noxious or dangerous compound?

VISCOUNT SANDON, in reply, said, the subject referred to had only been brought recently under the notice of the Lord President of the Council. It opened up some very important questions, and it was receiving his Grace's consideration, and he must ask the hon. and gallant Member to allow him not to state an opinion upon it at present.

THE BANK OF ENGLAND—THE LOANS ACT—THE SUEZ CANAL SHARES.

QUESTION.

SIR H. DRUMMOND WOLFF asked Mr. Chancellor of the Exchequer, Whether his attention has been called to the report of a meeting of the Bank of England, held on the 16th March, in the course of which the Governor is stated to have said—

> "The Bank was in perfect accord with the Government, and had never experienced any want of courtesy. So far from the raising of the £4,000,000 for the purchase of the Suez Canal Shares from an independent source being a slight, it was otherwise; for had the Government come to the Bank, the money could not have been advanced, as there was an old 'Loans Act' passed in the reign of William and Mary which specially prohibited the Bank lending the money to the Government. The same Act also provided that if a loan were granted the Governor should be liable to three times the amount, and anyone giving information of the fact should be entitled to one-third of the sum so lent;"—

and, whether the statement of the Law made by the Governor is correct?

THE CHANCELLOR OF THE EXCHEQUER, in reply, said, he had not seen in the newspapers the report of the remarks referred to, but he had no reason to doubt that they were perfectly accurate. He was not authorized to say what the law might be on the point; but he had no doubt that the Governor knew it, and was perfectly right in what he said.

MR. EVELYN ASHLEY said, that in consequence of the reply just given, he would ask the right hon. Gentleman to-morrow whether the Loan Act in question or any other Act would have prohibited the Bank of England from purchasing the Suez Canal Shares and holding them for the Government?

INDIA—THE AMEER OF KASHGAR.

QUESTION.

SIR TREVOR LAWRENCE asked the Under Secretary of State for India, Whether it is true, as sated in "The Times" of March 14, that five Turkish Officers have been sent through the Punjab to train the forces of the Ameer of Kashgar; and, if true, whether they have been sent with the concurrence and approbation of Her Majesty's Government?

LORD GEORGE HAMILTON: Our attention, Sir, has been called to the statement alluded to by my hon. Friend, but we have no information whatever on the subject.

NAVY—H.M.S. "VANGUARD."

QUESTION.

MR. DAVID JENKINS asked the First Lord of the Admiralty, Whether any tenders for raising H.M.S. "Vanguard," complying with the advertised conditions, have been received by the Admiralty; and, if not, whether it is the intention of that Department to make any attempt to raise her during the coming summer, or whether all hope of recovering her has been finally abandoned?

Mr. HUNT: Sir, several tenders complying more or less with the advertised conditions have been received by the Admiralty, and we are now in negotiation with one of the firms who have sent in tenders for raising the *Vanguard.*

PEACE PRESERVATION ACTS—PROCLAIMED DISTRICTS.—QUESTION.

Mr. CALLAN asked the Chief Secretary for Ireland, Whether his attention has been called to the eminently satisfactory condition of the county of Louth, borough of Dundalk, and the county of the town of Drogheda, both as regards offences against the person and property, as evidenced by the calendar of prisoners, the constabulary returns of crime, and the charges of the Going Judges of Assize during the present month; and, whether he is prepared to revoke the Proclamation placing these boroughs and counties under the provisions of the Peace Preservation Acts?

Sir MICHAEL HICKS-BEACH, in reply, said, it was very possible that the places mentioned by the hon. Member were, as he had stated, in an eminently satisfactory condition as regarded ordinary offences against the person and property; but there were other matters which had to be considered before the proclamation of the districts in question could be revoked, and he was not at present prepared to comply with that request.

SAVINGS BANKS AND FRIENDLY SOCIETIES—DEFICIENCIES—LEGISLATION.—QUESTION.

Mr. FAWCETT asked Mr. Chancellor of the Exchequer, Whether, since it appears that there is a deficiency of more than £4,000,000 in the funds possessed by the National Debt Commissioners to meet their liabilities to the Trustees of Savings Banks and Friendly Societies, it is his intention to introduce during the present Session any measure relating to the subject?

The CHANCELLOR of the EXCHEQUER, in reply, said, that if he had time he should be glad to introduce a measure on the subject in the present Session. Still, the matter was not very pressing. But he could not answer the hon. Member's Question without pointing out that the deficiency did not in any way imply any insecurity. He was extremely anxious that no impression should go abroad that there was the slightest reason for thinking the deficiency would affect the security of the deposit.

WEST AFRICAN SETTLEMENTS—CESSION OF THE GAMBIA.

In reply to Mr. Edward Jenkins,

Mr. J. LOWTHER said, the state of affairs relating to the question of the Gambia had entirely changed since the Motion of the hon. Member was originally placed upon the Paper. Communications had been received from the French Government placing further limitations upon the concessions which it was believed they were willing to make in return for the transfer of the Gambia. As these limitations would affect that absolute control over every portion of the coast proposed to be transferred, without which Her Majesty's Government felt it would be impossible to entertain the proposition, the negotiations had been brought to an end.

ROYAL TITLES BILL—[Bill 83.]

(*Mr. Disraeli, Mr. Secretary Cross, Mr. Attorney General, Lord George Hamilton.*)

COMMITTEE. [*Progress 16th March.*]

Order for Committee read.

Mr. DISRAELI: Sir, the House manifested such a general desire a little time ago to know the title Her Majesty's Ministers would recommend Her Majesty to adopt, that I am sure they will allow me, in continuation of the remarks that I then made, to make one or two more. Before the second reading of the Royal Titles Bill I informed the House what the title was which the Government intended to recommend Her Majesty to adopt—namely, that of "Empress"—a title which we believed was one that it was expedient for Her Majesty to adopt from local circumstances and from considerations of high policy connected with India. But, although I was under the impression that I had clearly expressed my meaning on that occasion, I think there has been considerable misconception—I might almost say even among hon. Members of this House, and certainly there has been considerable misconception out-of-doors on this subject. Therefore, I wish distinctly to state that there never was an intention on the part of Her Majesty to substitute any title for the superior and supreme title of Her Majesty—namely, that of Queen of the United Kingdom of Great Britain and Ireland. I am sure that under no circumstances would Her Majesty assume, by the advice of Her Ministers, the title of Empress in England. I wish to make this declaration, because I have reason to believe that considerable error exists on this subject. There is another point on which I should like—and on which it may be desirable that I should, on this occasion—to make one or two remarks. It is with reference to a rumour which is very prevalent that in consequence of the assumption of the Imperial title in India by Her Majesty, Her Majesty would be advised to confer titles on her Royal children and her agnates that would denote their Imperial connection, so that they should be called not only Royal, but Imperial Highnesses. Her Majesty's Ministers would under no circumstances give such advice to Her Majesty, and there never was the slightest foundation for that rumour. It would be a step entirely disapproved of, and I trust that after this statement it will be no longer considered as an element in our discussions.

THE MARQUESS OF HARTINGTON: Perhaps the House, Sir, will allow me to make one or two observations in consequence of the statement just made by the right hon. Gentleman, and if it should be thought necessary that I should place myself in Order by making a Motion, I will conclude by doing so. I think the House will agree that the observations which have just been made by the right hon. Gentleman are to a certain extent, and as far as they go, of a satisfactory character. I must, however, say that I regret that this further explanation was not given at an earlier period. I wish it had been given on the introduction of the Bill, or if it was impossible that the explanation could have been given at that time, I wish, at all events, it had been announced on the second reading, when the proposed title was announced for the first time to the House. The proposed limitation of the title has been announced for the first time to the House to-night, and it is impossible to say that the statement just made by the right hon. Gentleman removes all the objections which have been entertained on this side of the House to the proposals of the Government; indeed, I am not certain whether the right hon. Gentleman quite understands even now what is the character of those objections which are so strongly felt. Whatever may have been the apprehensions out-of-doors, we in this House have never apprehended that there was any intention whatever on the part of Her Majesty's Ministers to advise Her Majesty to assume any other title than that of Queen of the United Kingdom of Great Britain and Ireland. What we did apprehend, and what, notwithstanding the statement of the right hon. Gentleman, we do still, to a certain extent, continue to apprehend, is that when once the proposed title has been assumed, although in relation only to a limited and particular portion of Her Majesty's dominions, the new title will gradually come, partly by common use, and partly, perhaps, by being used in official documents and instruments, to be coupled with the more ancient title of the Sovereign. We certainly also apprehended that the Imperial addition to Her Majesty's title would probably be made use of in some way or other in the ordinary mode of addressing Her Majesty's family. As to the latter point, Sir, the statement of the right hon. Gentleman is, I think, perfectly satisfactory, so far, at all events, as the present is concerned, and so far as can be secured by the action and advice of Her Majesty's present Ministers. As to the other point also, although the statement, as far as it goes, is satisfactory, it is not, perhaps, in the power of Her Majesty's Ministers to prevent or to remove the apprehensions which, as I have said, we felt. But the statement of the right hon. Gentleman, I think, shows that Her Majesty's Advisers understand and appreciate the feeling of the House, and that they will do what is in their power to meet that feeling. Suggestions have been made and placed on the Table of the House for the purpose of limiting, if possible, to a local use and application the new title which it is proposed should be assumed by Her Majesty. One of these Amendments is that of my hon. Friend the Member for South Durham (Mr. Pease) intended for this evening; the other that of the noble Lord opposite (Lord Elcho), and which I believe he intends to move on the third reading. It would not, perhaps, be desirable, or even regular, that I should make any observations upon the different modes proposed by these hon. Members for accomplishing what I believe to be the same object. These hon. Gentlemen will have to consider, after the statement of the right hon. Gentleman, whether they feel it necessary to persevere with their Motions; but, whether they do or not, and whether those Motions are accepted by the Government or not, I cannot conclude without urging upon the Government, as strongly as I can, the necessity of leaving, if possible, some record upon our proceedings that it is intended that this title which the Government have advised Her Majesty to assume, shall be used in India and for Indian purposes only, and that it is not the intention of Parliament in granting to Her Majesty this power, or that Her Majesty's Ministers in advising Her Majesty to assume this title do not intend, that it shall be used in conjunction with the ancient and Royal title of the Crown. The statement of the right hon. Gentleman may to a certain extent affect the discussion upon certain points which will be raised this evening; but I conceive that it can have no bearing whatever upon two of the points which remain for discussion. Those are, the questions raised by the hon. and learned Member for Dewsbury (Mr. Serjeant Simon) and my hon. and learned Friend the Member for the City of Oxford (Sir William Harcourt), and the hon. Member for Banbury (Mr. Samuelson), in relation to the effect the Bill will have upon the Government of India, and our relations with the colonies. As to the other more delicate and perhaps more important point referred to by the right hon. Gentleman, I can only say that I am glad that the statement of the right hon. Gentleman has been made, although I cannot anticipate that it will remove all the objections which have been urged. I hope, however, the House will give me credit for sincerity when I say that I trust the statement may be found to remove those difficulties which it was the most painful duty of those on this side of the House to point out.

Bill *considered* in Committee.

(In the Committee.)

Preamble read a first time, and *postponed.*

Clause 1 (Power to Her Majesty to make addition to style and titles of the Crown).

MR. SERJEANT SIMON, in moving, as an Amendment, in page 2, line 3, after "India," to insert "and in order to include Her Majesty's Colonial Dominions in the Royal Style and Title of Her Majesty," said, he looked upon it as a very serious defect that the Bill did not include the colonies. It had been said by the Prime Minister that it was not necessary to include them, because they were part of the United Kingdom. He was very much astonished when he heard that statement. The right hon. Gentleman had been unmindful of statutory enactments. Before the Union with Scotland this was the Kingdom of England. By the Act of Union with Scotland it became the Kingdom of Great Britain; and by the Act of Union with Ireland it became the United Kingdom of Great Britain and Ireland. The Message brought down to the House of Lords by Lord Grenville, and to the House of Commons by Mr. Pitt, was in these words—

> "That the Kingdoms of Great Britain and Ireland shall upon the 1st January, 1801, and for ever after, be united into one Kingdom of Great Britain and Ireland."

The United Kingdom therefore was composed of the Three Kingdoms alone, and the colonies, or any other part of Her Majesty's dominions, formed no part of it. Further, when Her Majesty assumed the direct government of India, in 1858, the Royal Proclamation, so far from embracing the colonies as portions of the United Kingdom, distinctly mentioned them as apart from it. Her Majesty was mentioned and described as—

> "Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland, and of the Colonies and Dependencies thereof in Europe, Asia, Africa, America, and Australasia, Queen, Defender of the Faith."

Therefore, the statement of the right hon. Gentleman that the colonies formed part of the United Kingdom fell to the ground. There was another reason why the right hon. Gentleman should even now, at the last moment, accede to the Amendment. The right hon. Gentleman had described the colonists as here to-day and gone to-morrow, as a sort of roving adventurers who went abroad to amass fortunes, and "having found nuggets and sheared a thousand flocks," came back and built palaces and enjoyed the luxuries and the honours of home life. He had heard these expressions with pain. The House knew the right hon. Gentleman, and were accustomed to his brilliant sallies. They knew that an irrepressible force of genius could not always be restrained by graver considerations of State; but the colonists, not knowing these things, would lay to heart the words of the right hon. Gentleman, and they would inflict a deep wound, and lead to much serious misconception. The colonists were sensitive, and if there was one point upon which they were more sensitive than another, it was as to the way in which they were regarded by the mother-country. To be looked upon as inferior to those born upon British soil, was to them a serious grievance. They claimed to be, and it was their special pride to be considered as, Englishmen, and not as British subjects merely. It might be true that some of them had gone abroad with the intention of coming back as soon as they could; but the great mass were permanent settlers, and in our older colonies especially had been there from generation to generation. They felt a deep attachment to the land of their adoption, and took an active interest in its affairs and in its prosperity, while at the same time they were deeply attached to the mother-country, glorying in its history and traditions. A glance at one or two facts connected with the colonies would show how misplaced were the remarks of the right hon. Gentleman. The colonies Within the temperate zone extended over 4,000,000 of square miles, and were inhabited by no fewer than 6,000,000 of Whites, either Europeans or of European descent; and, if the colonists within the tropics were added it would bring the population up to something like 7,000,000. Was Her Majesty, notwithstanding the words of the Proclamation of 1858, to tell her colonies that she was now indifferent to them? That India was preferred? Was she to tell this to the people of India also, and proclaim it to the world? He felt very strongly on the subject, because he knew there were families settled in the colonies from their first colonization to the present hour; and, although they were never seen on the British shores, they gloried in the fact of being Englishmen, and claimed all the rights and all the consideration of Englishmen at home. Surely, under these circumstances, it would be hurtful to the colonists and unwise to omit that recognition which had been given to them in the Proclamation of 1858. The Division of the other night had settled the question as to the title of Empress, and it would be unbecoming in him, and unworthy of the dignity of the House, to make use of its Forms for purposes of delay. He had no such intention; his object simply was to make the question with regard to the colonies clear to the Committee, and he hoped it would receive the serious consideration of Her Majesty's Government. He deprecated the notion that the colonies should in any degree be considered inferior to other parts of Her Majesty's dominions. They were at least as fully entitled to recognition in such a Bill as our Eastern Empire; and he hoped, if the Government did not at the present moment feel inclined to adopt his view, they would in their graver moments deem it their duty to do so. He would conclude by moving the Amendment.

Amendment proposed, in page 2, line 3, after "India," insert "and in order to include Her Majesty's Colonial Dominions in the Royal Style and Title of Her Majesty."—(*Mr. Serjeant Simon.*)

MR. DISRAELI: Sir, without arrogating for the present Ministry any peculiar claim of sympathy with the colonies, I do not think any impartial critic will refuse to acknowledge that there have been made, ever since we have attempted to control the destinies of this Empire, great efforts to recognize their claims to our consideration, and that there has been a great desire to express our sympathy with their fortunes. I think the hon. and learned Gentleman has made rather too much of the observations which fell from me on a former occasion, perhaps in a lighter vein than suited the subject, but which then appeared appropriate to my mind. I hold that the proposed title is an addition to, and not a change in, the Royal Style. When I made the remarks referred to I certainly had no intention of describing our colonial fellow-subjects as a migratory population, nor did I do so. What I wished to convey to the House was, that from the happy accidents of their colonial life a considerable number of the subjects of the Queen, after being settled for some years in the colonies, do visit and return to their country, and that thus are maintained active relations between her colonial subjects and the Sovereign which do not exist with respect to her subjects in India. The hon. and learned Gentleman now presses for a recognition of the colonies in the action which this Bill will regulate. I am myself indisposed to change the scope of the Bill. This Bill has a particular object and a limited significance, and I think it would be very unwise to alter it. I should be very glad indeed if the relations between the Sovereign and her colonial subjects could be described in a satisfactory and happy manner, and if we could, by the introduction into the Royal Style of some felicitous phrase, exhibit the sympathetic relations which exist between them. But this is a question of much difficulty, and though I do not by any means despair that the time may yet arrive when so happy a result may be consummated, I am unprepared at present to meet the requirements of the case, and I should be sorry to delay the progress of this Bill for an object of that kind. As far as I can form an opinion from conversation with some eminent colonists, it is, I believe, the desire of the colonies that the great settlements throughout the world in connection with this country should no longer be regarded as merely colonies or dependencies. If, therefore, you would by the introduction of a few words effect the object which the hon. and learned Gentleman has in view, I believe you would only excite disappointment, not to say a stronger feeling. The hon. and learned Gentleman has quoted on more than one occasion, and referred twice to it to-night, the Proclamation of 1858. I am the last man in this House to treat that Proclamation with disrespect, for I am responsible for it. But I cannot say that when the designation referred to was decided on, it was ever intended that it should be introduced into the formal and permanent style of the Sovereign of this country. Although, therefore, I will repeat my hope that we must not by any means despair some day of expressing in a happier manner the relations between the Sovereign and the colonies, this is not an occasion on which I would advise the House to attempt to effect that purpose. The hon. and learned Gentleman has referred to the conduct of George III. when the Act of Union was passed. We must remember that in the Act of Union King George was empowered to introduce the phrase, "Colonies and Dependencies." But King George himself then acted under the impression that they were included in the title of King of the United Kingdom, because in his Proclamation under the Great Seal he did not use any phrase which would confine the term "United Kingdom" to Great Britain and Ireland. We must also remember that the colonists of this country look upon themselves, and rightly, as brother Englishmen. The relations between this country and the colonies, and the relations between this country and India, are totally different. In the colonies every Act of the Executive runs in the name of the Queen. Parliaments are opened in her name and by her Governors. Legislation is carried on in her name, and without her sanction no measure is law. All civil processes issue under the Crown; Judges are appointed, criminals are arraigned and convicted, and conveyances of lands are made in the name of the Crown. Therefore I say the relations between Her Majesty and her subjects in the colonies are totally different from those which exist between Her Majesty and her subjects in India. It is also to be remembered that the proposition to add to the style and titles of the Queen with reference to India, is occasioned by the circumstance that a great revolution has occurred in the relations between England and India—between Her Majesty and her Indian subjects; and the time has come when we think it is necessary, and, we believe, a matter of high policy, that some measure such as the one which we have introduced should be passed. In the relations between Her Majesty and her colonial subjects no such change has occurred. These relations are of the most satisfactory kind, and I trust they will remain so; but no change has occurred in those relations since the time referred to, in the reign of George III. There has, however, been a change with regard to India since that time, and therefore there is no similarity between the two cases. I do not want to be misunderstood. My sympathies are strongly in favour of our Colonial Empire. I have never given utterance, I trust, to any expression hostile to them, but always in their favour. I have always sought to consolidate that Empire, and even, if necessary, to increase it, and I have never hesitated to say so. But what we have before us is a different work. I do not myself see any prospect of any satisfactory arrangement of the point to which the hon. and learned Gentleman refers. I think it will only encumber the Bill, and I trust, therefore, that, on the whole, he will not press us to a division on the subject.

MR. W. E. FORSTER: I am sure my hon. and learned Friend will thank the right hon. Gentleman for the manner and tone in which he has met the proposal before the House. I never supposed the Government of which he is the head would for an instant contemplate not fully acknowledging the importance of the colonies, or wish to interfere with their connection with this country. I was sure that on consideration the right hon. Gentleman would feel that the few expressions which he uttered on the very spur of debate and argument are not those in which he would, upon maturer reflection, have described either the colonies or the colonists. As regards the present Motion, I am sincerely sorry that the Government do not see their way to accept it. The right hon. Gentleman says there have been great changes in India, and that there has been no change in the colonies. But we must remember that the changes in the position of the colonies since the last alteration of the Royal title are about as great as any that could possibly be made. At the beginning of this century our colonial Empire was almost, I may say, at its lowest; that is to say, we had lost the American States, many of our colonies had not then been founded, and some of them were in their veriest infancy compared with the lusty youth they enjoy now. I think if we were merely to consider the changes which have happened in India and the colonies since the last alteration of the Royal style and title, we should have to acknowledge that the change in the colonies is greater than that which has taken place in India, although it is quite true there was a nominal change from the rule of the East India Company to that of the Crown. The right hon. Gentleman rather mistook the Union Act and the Proclamation of George III. issued in consequence. He stated that that Act gave power to George III. to take such title for "the United Kingdom, colonies, and dependencies" as he thought fit. I think if the right hon. Gentleman refers to the Act he will see the colonies are not mentioned, and that it is merely "United Kingdom and dependencies." I do not think the colonies were thought of in "dependencies." My belief is that the dependencies meant the Channel Islands and the Isle of Man, and therefore we can hardly take that as a precedent. However the Government may feel this difficulty in trying to solve the question, they must allow me to say it is one of those difficulties they ought to have foreseen when introducing the Bill. Perhaps there are other difficulties which, if they had given them greater consideration, would have given rise to less discussion on this subject. I will not ask my hon. and learned Friend to press his Motion to a division, for two reasons—first, I should be exceedingly sorry that any proposition made on behalf of the colonies should not be accepted by the House or disputed by any large number of Members, because it would put the colonies and the House in an unfair position. And, again, I cannot help thinking that the right hon. Gentleman and the Government may even yet consider the question, and try to discover whether, now they are passing this Bill and making this important change in Her Majesty's title, they cannot take this opportunity of acknowledging the existence of our colonial dominions. We are not going to have changes in Her Majesty's title often, I hope. It would be a very serious matter if we were. I do not think there is such exceeding haste required in the passing of the Bill that the Cabinet may not fairly consider the question. I am sure if they did, they would get over the difficulty, and that from the fertile brain of the right hon. Gentleman words should come sufficing to meet the object in view. As to the words, I feel the difficulty of the objection to the word "colonies." But there are other words, such as "Her Majesty's dominions," which might effect the object in view. I can only say I think this is a very good opportunity, and one that should not be lost, not only of reminding Her Majesty's colonial subjects of her relationship to them as their Queen, whom they are so proud to acknowledge, and to whom they are as loyal as we ourselves, but also of showing that we, the Parliament of the United Kingdom, acknowledge our fellowship with these young communities, which we know will before long be almost, if not quite, as powerful as ourselves. We shall thus show that we are prepared to treat them not as dependencies, but as equals. I cannot help thinking these are considerations which the Government might bear in mind. They will have further opportunities of considering this matter here, and a good deal more in "another place," and if any alteration came down to us I believe it would be received with general approval on both sides of the House.

Mr. FORSYTH said, that one of his objections to the proposal of the hon. and learned Gentleman opposite (Mr. Serjeant Simon) was that it was not relevant to the Bill. There ought to be a connection between the Preamble and the body of the Bill, and the Preamble had been allowed to pass *sub silentio.* If the Amendment was to stand, the Preamble could not remain as it was.

Mr. Serjeant SIMON said, he would remind the hon. and learned Gentleman the Member for Marylebone that the consideration of the Preamble was postponed, and he (Mr. Serjeant Simon) had given Notice of Motion to add a clause in the Preamble to meet the case of the colonies, in the event of his Amendment being adopted.

Mr. FORSYTH said, that he was still of opinion that the Amendment would be irregular, as it would introduce into the Bill a totally new element. With regard to the question of title, he denied that up to the time of the Act of Union the title of the Sovereign was "King of England." The title up to that time was "King of Great Britain, France, and Ireland." On the death of Elizabeth James the First assumed the title not of King of England, but King of Great Britain. He was of opinion that at Common Law the Sovereign could assume any title he pleased, but by the Act of Union with Ireland a statutory title was given which Prerogative could not alter. He believed the colonies were quite contented with the title the Queen now bore.

Sir GEORGE BOWYER said, he must deny that King James I. on the death of Elizabeth became King of Great Britain. He was James Sixth of Scotland, and James First of England. In the recent debates a great deal was said of the greatness and sacredness of the title of King of England, and to do anything adverse to that title was equivalent to sacrilege; but the title did not now exist—there was no such thing. At the time of the Act of Union with Scotland the Sovereign became King of Great Britain, and this country was styled in all legal documents "that part of Great Britain called England." Then came the Act of Union with Ireland, in 1801, which extinguished the title of "King of Great Britain," and established a new title, "King of Great Britain and Ireland," and this country was then styled, "that part of the United Kingdom of Great Britain and Ireland called England." So that the present title of the Queen would only be 75 years older than her new title of Empress of India. He hoped the House would therefore hear no more of the sanctity of the ancient title of the Queen of England. Her Majesty was descended from an illustrious line of ancestors, some of whom were Kings of England, but she was not now Queen of England. Selden, one of the most learned men England had ever produced, had written at length on the distinction between Kings and Emperors, and the result of his arguments was that an Emperor was a Sovereign over other sovereign Princes, and therefore no title could be more appropriate for the Queen than Empress of India, because in that country there were yet a great many sovereign Princes, and Her Majesty was Suzerain over them. As to the Amendment, and its proposal to introduce the colonies into the Royal titles, he hoped the House would do nothing of the kind. They could find no instance in history of any Sovereign taking a title from a colony. [An hon. MEMBER: There is the case of Spain and the Indies.] The Indies were conquered by Spain, consequently Spain took a title from the Indies, but it was not a colony, but a conquest. The title was in fact so taken because a colony was not a dependency, but a province—a portion of the mother country—and for the Queen to take a title from a colony, say, for instance, Queen of Canada, would be as absurd as it would be if she were to take the title of "Queen of Berkshire." He trusted that the House would reject the proposition.

MR. LOWE hoped the House would not take its law from the hon. and learned Baronet who had just sat down. If they were not to include among their colonies any territories that had been conquered, then the roll of their colonies would be cut down to very small dimensions. Canada, he (Mr. Lowe) supposed, was not a colony, for it certainly was conquered. The Cape of Good Hope, also, if the hon. and learned Baronet's view was correct, was not a colony. He ventured to say that the manner of colony made a difference in law, but it made no difference as to the fact of its being a colony. In the case of a conquered colony the Queen legislated as she pleased, in the case of a planted colony it must be done by Parliament. Conquered countries certainly might be colonies, and he was surprised the hon. and learned Baronet should make such a slip. But he would venture to say that the question before them was not whether the proposal came within the present Bill before Parliament, but in what state the question of the colonies would be left if the present Bill became law. That was a very weighty and momentous question to consider, and one which the right hon. Gentleman (Mr. Disraeli) had scarcely done justice to in what he had said. If they looked back to 1801 they would find that the colonial Empire of England had shrunk to extremely small dimensions. They had lost the American States; Canada contained 240,000 inhabitants, Australia 4,000, and the Cape of Good Hope was considered of so little value that they made a present of it to the Dutch, though they had to conquer it back again; Tasmania and Western Australia were unsettled altogether, and the rest of their colonial possessions were exceedingly small. It was not to be wondered at that they should have been passed over then; but the right hon. Gentleman had scarcely done justice to their present position. The Dominion of Canada alone now contained fully 4,000,000. Australia and New Zealand contained 1,500,000—[Several hon. MEMBERS: More, much more]—and certainly almost all those persons were of British origin. Their other colonial dependencies were also very populous. Now, therefore, the question arose, as they were dealing with a British population as large as that of Ireland—though he thought it was quite reasonable to omit them from the style and title in 1801—whether they had any reason to leave them out now; and he put it to the House whether it was wise, prudent, or fair to the colonies, as they had chosen to raise the question now, to exclude from the new title of the Queen those colonies which were such an important part of her dominions, and which would in all human probability overtop in population the mother Island from which they had sprung? He could not say how much it was to be regretted, as this question had been opened, that the colonies should have had this slight—this marked slight—put upon them. ["No, no!"] Yes, marked slight; he spoke as he knew they would feel it. The colonists were, as nearly as possible, the reverse of the description given of them by the right hon. Gentleman. Of course some did return, but the maxim of the great majority of those who went out was *nulla vestigia retrorsum*. They went out from England to found new homes; all their hopes, their feelings, and wishes were bound up with the colonies where they had settled with their children, and while they retained a kind feeling towards England they did not look back to the possibility of returning, and did not think of it. But people in that position, wealthy and well-to-do, as well governed at any rate as we were, and who were conscious, whatever their position now, that it was nothing to what it would be, were naturally extremely tenacious of these matters, because they were really in a better and higher position than was indicated by the title they bore. They were persons of all others who would be sensitive to anything said or thought of them in England. The colonists did not care for what was said or thought of them by other colonies. Their connection with each other was comparatively slight; but the connection between them and the Crown and people of England was strong, while the feeling was still stronger. He could not imagine anything more calculated to do serious mischief than that after having chosen to open this great question without having considered the subject at all, they should now shrink from the difficulty of doing what was only fair and right to the colonists, and would give them satisfaction. One of the difficulties stated by the right hon. Gentleman was that some of them could only be described as colonies, whereas we had erected one into a Dominion, and, therefore, that a variety of titles would be necessary. For his own part, he apprehended that the colonies would be perfectly satisfied if they were described as colonies; and, giving credit to the people of the Dominion of Canada for good sense, he thought they would be satisfied to go with the rest of the colonies, although they might have been elevated to a higher name. It had been said it was difficult to define the relation of the Queen to the colonies, but he thought nothing was more easy. The relation of the Queen to the colonies was the same as the relation of the Queen to her subjects here. She was the Governor of the colonies just as she was Governor of Great Britain, and governed the colonies by the advice of a Colonial Ministry, responsible to a Colonial Parliament. Her subjects there were under the same conditions as we were here. Nothing could be more monstrous than to assume that the colonies were included in these Islands as respected their government. The Acts of this Parliament did not bind the colonies, unless they were specially named; they were bound by the Acts of their own Legislatures—their laws were not the same as ours—they were governed by their own laws, having one common link with the United Kingdom that they were under the same Sovereign. It was said the colonies must be left out of the Bill, because they could not find a word that would express the relation of the Queen to them; but he thought it was perfectly competent for them, in settling the new title, to say that Her Majesty should be Queen of the colonies, and he considered it would be only a fair recognition of their importance. In that way they would satisfy all the reasonable demands of the colonies. If it was so desirable to recognize India, which was taken under the control of the Crown 18 years ago, it was surely as desirable to recognize the existence of those great colonies which had sprung into existence since the last alteration in the Queen's title. What reason had they which was applicable to India which was not equally applicable to the colonies? Could it be supposed that Her Majesty's subjects in the colonies were not as dear to her as those in India? And yet, what other construction could be put upon it, if they were ignored on the present occasion. If there was any difficulty in describing the Dominion of Canada and the other colonies, let the Government meet the difficulty. They need not do it by the present Bill, and if they afterwards found that there was an absolute impossibility, let them come to the House and state it frankly. But so far from there being an impossibility, he considered there was not one-hundredth part the difficulty in including the colonies that there was in dealing with the question as it now stood. He hoped the House would give its serious consideration to the question, for it was not a matter which merely affected the present moment. It was of enormous consequence that these great communities, whether they remained part of the Empire or not, should continue to have a kind and good feeling towards this country; that they should know that, whatever their future destiny might be, they were one in feeling and in sentiment with the people of the mother country, and that we should never again repeat the folly of alienating from us by injudicious conduct a large portion of our own kindred.

Lord ROBERT MONTAGU said, that the Amendment was not an enacting clause, but merely gave power to Her Majesty to include her colonial dominions and to recognize her colonies as part of her Empire. So far it was on all fours with the Act of 1801. It had been said that the colonies were part of the kingdom. This was true in old days, when we made laws for the colonies; but a great change had taken place, and now the colonies had their own Legislatures, and he maintained that they were accordingly not a part of the Kingdom. If they were still a part of the Kingdom, as the right hon. Gentleman opposite (Mr. Disraeli) alleged, he (Lord Robert Montagu) was at a loss to understand how, if a Parliament met in Ireland, it could be called a dismemberment of the Empire. He had always objected to the Act of 1801, because it limited the Prerogative, and he had heard with pleasure the right hon. Member for Greenwich (Mr. Gladstone) say that this was a question of Prerogative only. He thought the Queen had the Prerogative of taking any title she thought proper, and, therefore, the Bill was uncalled for. The Amendment merely proposed to give the Queen the power to take a title, leaving it to Her Majesty to take whatever title she liked.

MR. GLADSTONE said, he did not join in advising his hon. and learned Friend the Member for Dewsbury (Mr. Serjeant Simon) not to press his Amendment on the ground of any of the arguments he had heard against including the colonies within the scope of the Bill. The hon. and learned Baronet the Member for Wexford County said there had been no case in which a Sovereign had taken a title or part of a title from a colony or a Province. [Sir GEORGE BOWYER: I did not say a Province.] That was exactly what he wanted to point out. His hon. and learned Friend did not say a Province. [Sir GEORGE BOWYER: I will explain.] Oh, no! his hon. and learned Friend had had a fair innings already. He would see that if he did not say Province his objection fell to the ground, for Canada was a Province and we had other Provinces attached to the Empire. His hon. and learned Friend the Member for Dewsbury did not mean to raise the question upon the name by which the colonies were to be called, but upon the territory. Certainly, as he had said, he could not agree in voting against the Amendment on the ground that the matter was already prejudged by the Preamble. The hon. and learned Member for Marylebone (Mr. Forsyth) was in a predicament which excited his commiseration, when he opposed the Motion on the ground that the Committee had already passed in silence the Preamble which fixed the scope of the Bill; and when he afterwards discovered that the Preamble was not passed at all, he was still under the necessity of making his speech upon some ground entirely different. Had the Prime Minister given the Committee any reasons for dismissing the colonies from their consideration? He wished to state exactly his own position as a Member of that House in regard to the Bill. It was a very peculiar position. The Government asked for discretionary powers to recommend the Queen to make an addition to her title, but they insisted on the power of excluding from that discretion a certain portion of the dominions of Her Majesty. He believed that they had shown great indiscretion in stirring in this matter upon any conditions at all. Still as it had been stirred, and as the Government were responsible for stirring it, he thought they should take upon themselves the responsibility of saying how the power entrusted to them should be exercised. If the Government had asked the House for powers that did not extend to the assumption of any title that went to impair the dignity and lustre of the Crown, and had left it on the responsibility of the Government to determine to which of the dominions of the Crown this title should be extended, he, for one, would have been very reluctant to withhold it. But the Government insisted on taking from Parliament a discretionary power with regard to India, and insisted upon not taking a discretionary power with respect to the other possessions of Her Majesty. Now he was not willing to be involved in that double responsibility. He had to ask himself what grounds had been shown for such a proceeding. The arguments given on former nights that the colonies were a part of the United Kingdom—that they had a fugitive population—that the colonists were ever with us, and that all that we had was theirs—that they represented the son in the parable, who would by-and-by come and complain of the way in which he had been treated—these arguments were now scattered to the winds, and a new set of arguments had been brought forward. It had been said that the case of the colonies was entirely different from that of India because there had been a revolution in India, while there had been none in the colonies. He, for one, protested against that statement. There had been no revolution in India—no change in the principle of government, and no contraction of the liberties of the people of India. If anything had been done, it had been that Parliament intended by the India Government Act to provide new securities for the good government and the civil—not the political—liberties of Her Majesty's subjects in India. If they were to look at the change which had occurred in the extent of Her Majesty's dominions as a reason for calling upon Her Majesty to extend her title, there had been an infinitely greater change and development in the colonial Empire of this country than had occurred in our Indian Empire within the same period. There was, however, another point to be considered. In the year in which the Union with Ireland was enacted there was no such thing as free Parliamentary government as it was now understood in any of the colonies. Since then there had been a peaceful and a happy revolution, and now there was not a single colony of any consequence where the system of Parliamentary government did not prevail. Therefore, if the Bill was to be founded on the amount of change which had occurred in regard to India, he would point out that the amount of change in the colonies was far greater both in material extension and in political progress than in India, and therefore the argument for including the colonies was an argument *à fortiori*. But the right hon. Gentleman held out a hope which he viewed with considerable apprehension. He said they might have a further opportunity of considering and doing something with the title of Her Majesty with respect to the colonies. He hoped these words meant nothing. He hoped they were a mere expedient to get rid of the present measure, and that they would have no further attempts on the part of the Government to patch and mend, and he would almost say tinker, the Royal Title. The Government had now brought them to a point when it was most desirable they should get quit of this question. Let them do what was best under the circumstances. Let them give the Government all the power and responsibility they could give them without incurring political danger, but do not let them set aside one portion of the question on the ground of the difficulty there was in fixing on an appropriate title, and that, they would have another opportunity of considering the matter when the right hon. Gentleman had an opportunity of looking a little further into his dictionary and discovered whether he could find one or two terms on which he had not yet been able to satisfy himself as to their propriety. He did not think, however, it was desirable that the Amendment should be pressed. They had already expressed their opinion by their vote. They had already voted, without success—very far, indeed, from success—that the House was not unwilling to give power to Her Majesty to make an addition to her title which should include such dominions as might seem fit. In that Motion of his noble Friend they had a principle on which he was prepared to take his stand—namely, that if there was to be a change, their desire was to leave to the Government, on their responsibility, the duty and office of choosing which should be the dominions included in the new enumeration. He admitted it would be better to approach the subject with some knowledge of the sentiments of their fellow-subjects in India and the colonies, but the Government had chosen to place them in a predicament so that they could have no such opportunity. He was not referring to India, but to the colonies. The right hon. Gentleman the Member for the University of London, who was an authority in all matters relating to the colonies in a degree even beyond what he might claim on any subject in that House, expressed a strong opinion that the colonies desired to be included in the Bill, and that they would be mortified at being excluded from it. That utterance was met on the other side of the House by an adverse opinion. There were certain colonial organs in this country, and they were in favour of the colonies being included; but he admitted that was not conclusive. The desirable course to pursue was clear. He frankly owned he should not support any Motion which went directly to bring the colonies within the scope of this Bill; but, on the other hand, he was determined not to be responsible for excluding them. The Government having made the proposal ought to take upon themselves the responsibility of determining whether or not the colonies should be included in any change which Her Majesty might be advised to take. He was not going to predict whether discontent might arise in the colonies or not; but this he would say, that when the Bill had passed, if discontent and disaffection should arise, the whole responsibility of that discontent and disaffection would rest on Her Majesty's Government. Therefore, what he hoped they would do was this—If they did not like the shape of the Motion, at their own time and in their own mode they would insert power in the Bill to enable them to act hereafter. Having raised the question the Government could not escape from the responsibility. They had already protested and voted for power to include the colonies, and he thought it would be best for all parties if the right hon. Gentleman would now, or on a future occasion, allow power, of the kind referred to, to be inserted in the Bill, and keep it in his own hands when he came finally to advise the Crown. If the right hon. Gentleman should see fit to do so, he, for one, would not ask for any pledge as to the way in which it should be used.

SIR GEORGE BOWYER explained with regard to the word province, that his contention was, that the colonies were provinces in the strict sense of the word, or, in other words, a portion of the mother country.

MR. DISRAELI: There is one difference, Sir, between the case of India, which is now before us, and that of the colonies, which the right hon. Gentleman has not touched upon, and which appears to me to be one of a vital character. There are political considerations of the highest character that influence Her Majesty's Government in recommending Parliament to assist Her Majesty to assume the title of Empress of India; but no one can pretend for a moment, whatever her relations with her colonial subjects may be, that there are political considerations, and those of an urgent character, which render it necessary to consider their case. That is a difference which the right hon. Gentleman has never admitted in his numerous remarks upon the Bill, but which, after all, involves the very core of the argument. This is not an occasion on which to dwell upon these considerations. I have not thrust them forward, but there will be opportunities when I shall certainly no longer refrain from using my privilege as a Member of this House, if I find that from omitting to bring such considerations forward room is given to, of course, the unintentional misrepresentations which have found their way into this discussion. The right hon. Gentleman talks of the rapid development of the colonies. Why, that is one of the very reasons that has rendered it so difficult to deal with them as forming part of the style of Her Majesty. I might say that it is only a few months ago that a considerable Confederation was about to be formed in Africa; while two or three years ago an Australian federation seemed to be on the point of being accomplished; and these are matters which must be considered when events are likely to occur, and results to accrue, which give a totally new character and form to the society you are attempting to bring into this delicate and important connection with the Crown. With regard to the other remarks of the right hon. Gentleman I will only say that Her Majesty's Government will never shrink from any fair responsibility which they ought to incur, and I can assure the House that it is not on this bench they will find any character or quality of that kind.

MR. SERJEANT SIMON thought if there might be some difficulty in Canada with respect to the title of Empress, there could be none as regarded the remainder of the colonies. He hoped the Government would see the necessity of creating a kindly feeling among our vast colonial population; but under the circumstances he should not press his Amendment.

Amendment, by leave, *withdrawn.*

Amendment (*Mr. Samuelson*) in page 2, line 5, after "India," to insert "as in the aforesaid proclamation published and set forth," by leave, *withdrawn.*

Amendment (*Sir William Harcourt*) in page 2, line 5, after "India," to insert "that is to say, of the territories so vested in Her Majesty as defined in the last-mentioned Act," by leave, *withdrawn.*

MR. OSBORNE MORGAN moved, as an Amendment, in page 2, line 5, after the word "India," the insertion of the words—

> "But not so as to give to any Style or Title which Her Majesty may be graciously pleased to assume any precedence or priority over the Royal Style and Title now appertaining to the Imperial Crown."

His object was that Her Majesty should be Queen and Empress, and not

Empress and Queen; and he wished to ensure us against the result which in every other country had followed from the union of an Imperial and a Royal title—the absorption of the latter in the former. In past times, so far as his recollection went, the Royal title had always been merged in the Imperial title. In the good feeling of Her Majesty and her son, we had a perfect guarantee that there would be no assumption of the Imperial title over that of the Kingly title in their reigns; but Parliament was legislating for future generations, and it would be satisfactory to know that it had placed upon record that if our Kings were to be Emperors, they should be Kings and Emperors, not Emperors and Kings. The Queen of England was endeared to her people by those qualities of woman, wife, and mother, which Max Müller said were originally implied in the word "Queen," as much as by her position as Sovereign, and it was not asking too much that the title should be placed for all future time beyond the reach of assault. It was impossible to deny that the title of Empress grated upon the English ear, and what they desired was that the Queen or the King should always be known in England as the Queen or the King. The right hon. Gentleman at the head of the Government had agreed to localize the title, and in effect, though he would not put it in the Bill, he accepted the Amendment of the hon. Member for Durham (Mr. Pease). But a name could not be localized; when once it was given, you could not control its use. You might as well try to imprison the wind or chain the air. The other night the right hon. Gentleman said the new title would add new lustre to the Crown of England. He (Mr. Osborne Morgan) thought the Crown of England did not want any new lustre. The right hon. Gentleman would follow the example of the unfortunate artist who succeeded in spoiling by gilding the horses of Lysippus. He might as well attempt to "Paint the lily and adorn the rose." Let them put on record their desire that the Sovereigns should be known by a title endeared to them by associations begun with Alfred and ending with Victoria.

Amendment proposed, in page 2, line 5, after the word "India," insert the words—

"But not so as to give any Style or Title Her Majesty may be graciously pleased to assume any precedence or priority over the Royal Style and Title now appertaining to the Imperial Crown."—(*Mr. Osborne Morgan*).

Sir ALEXANDER GORDON pointed out that documents promulgated in India were headed with the words "Victoria Regina;" and if Her Majesty was to be called Empress of India, it would be an anomaly if, in documents issued in her name, those words continued to be used. The title of Empress must be exercised in this country, because Her Majesty must sign the proclamations which were going out to India in this country under the advice of her Secretary of State. He asked whether an alteration would not be required in the Royal sign manual? Would proclamations in that country at present headed "Victoria Regina" hereafter be headed "Victoria Imperatrix."

Mr. DISRAELI, as far as he understood the Amendment, thought it would have the contrary effect to that which the hon. and learned Member for Denbighshire desired—namely, the localizing of the name of Empress, because it would require Her Majesty to be described in India as Queen and Empress. He thought it hardly desirable that the Amendment should be pressed upon the attention of the Committee.

Mr. E. JENKINS said, that as the Amendment was similar to the one of which he had given Notice early in the evening, he would accept it and withdraw his own. He thought the right hon. Gentleman did not quite understand the aim of the hon. and learned Gentleman, whose intention was to prevent the acquisition of that title of Empress which the Government were attempting to force upon the unwilling people of England. The right hon. Gentleman had spoken of the political considerations of the highest importance involved in carrying the Bill, but what evidence had he offered? Was this to be a new *avatar* to the people of India? The title of Empress was looked to with the utmost interest, with the most anxious expectation, according to the right hon. Gentleman. But might he not be mistaken? No evidence had been offered to the House or to the country, and the course taken had led people to question the truth of the right hon. Gentleman's statement. ["Oh!"] That was not a charge which he (Mr. Jenkins) brought; he was only reporting what was a historical fact—that in consequence of the action of the Government and its reticence in the matter, people in England had entirely misunderstood their objects, and were not giving to the statements of the Government that confidence which the statements of every Government, of whatever Party, should have. Was it too late to ask that the evidence should be given? Would not the title of Queen satisfy the claims of the people of India? If the House had the Papers before it, it could judge for itself; but those Papers for grave political reasons were withheld, and they were threatened with serious consequences if the suggestions of the Government were not accepted. He hoped the Amendment would be adopted.

MR. GREGORY said, it was difficult to deal with an Amendment of which no Notice had been given; but, as far as he had caught the Amendment, it appeared to cut down the Imperial character of the Sovereign of this country, and, if so, it conflicted with a declaration in the statute of Henry VIII. whereby the jurisdiction of the See of Rome was annihilated in this country—namely, that this Realm was an Empire and had been so accepted in the world. That Imperial character and the rights it involved had been recognized by one of the greatest writers on constitutional law in this country—he meant Mr. Selden. It would be a most serious thing for the House to adopt an Amendment which would trench in any degree on the principle involved in a statute upon which so much of the liberty of this country depended.

MR. SERJEANT SIMON did not think the adoption of the Amendment would in any way lower the dignity of the Queen's title. He would suggest that Her Majesty should be styled "Sovereign of India." As given by Johnson, Richardson, and Webster, it meant "supreme lord," a far more expressive title than the one assumed under the Bill. That title would not only avoid offence to the people of this country, but it would also express to the people of India the true state of the case—namely, that Her Majesty was their Supreme Ruler.

MR. BENETT-STANFORD hoped the Amendment would not be pressed to a division, as it sought to upset by a side-wind the decision come to by so large a majority of the House on Friday night. He was sure it must be distasteful to the loyal feelings of those educated gentlemen of India who watched the debates of Parliament with the deepest interest, to find this question made a matter of Party strife. He believed that the people of England approved of this measure. On Saturday he attended a large farmers' ordinary in the West of England, at which the conduct of the Government in bringing forward this measure was unanimously affirmed as being likely to give pleasure to the people of India, after their cordial reception of the Prince of Wales.

SIR GEORGE CAMPBELL hoped the Government would take notice of the difficulty mentioned by the hon. and gallant Member for East Aberdeenshire (Sir Alexander Gordon). It was desirable the Committee should know whether in orders and proclamations sent from the India Office Her Majesty would be styled "Queen," "Queen Empress," or "Empress Queen."

SIR GEORGE BOWYER believed the Amendment to be totally useless and unnecessary, and hoped the hon. and learned Gentleman would not press it.

MR. OSBORNE MORGAN said, that after what the Prime Minister had said with respect to the non-currency in India of the title "Queen," he would, with the leave of the Committee, withdraw his Amendment. He was not aware that there was no equivalent for the word "Queen" in India, but wished it to be placed on record that there was an objection to the use of the Imperial title in England.

MR. GLADSTONE said, his hon. and learned Friend interpreted what had fallen from the Prime Minister in the sense that the title "Queen" would not be current in India after the passing of this Act. He (Mr. Gladstone) was not aware the right hon. Gentleman had mode any such statement. It was, however, most important that there should be a distinct understanding on the point, on account of the apprehension of the public that that title was to be fused in that of "Empress." No notice had been taken of the objection of the hon. and gallant Member for East Aberdeenshire. He, therefore, wished for further information upon one or two points before the Amendment was withdrawn. He wished to know—first, whether it would be necessary to call in and recoin the hundred millions or so of coins now current in India that bore the word "Queen" upon them; secondly, whether the style of Her Majesty's Government would only be altered as regarded India; thirdly, whether there would be any alteration of the sign manual as regarded England; and, fourth, whether the present Bill would contain anything that would prevent any Minister in the future from advising Her Majesty to alter the sign manual as regarded this country?

Mr. DISRAELI replied that the style of Her Majesty would be Queen of the United Kingdom of Great Britain and Ireland, and Empress of India, and that the sign manual of Her Majesty would be "*Victoria Regina et Imperatrix*" in India. As regarded the coin bearing the word "Queen," now in circulation in India, there would not be much difficulty, inasmuch as he had at that moment in his pocket two or three shillings bearing the style and effigy of George III., and he was not aware of any necessity for re-coining them. Whether any future Minister could, under this Bill, effectually advise Her Majesty to make an alteration of the sign manual in this country would depend upon the future will of Parliament.

Mr. GLADSTONE said, the Prime Minister had not answered his question about the sign manual. What he meant was this. Supposing it were the pleasure of the Minister at any time to recommend that the sign manual should be altered, and the name "*Imperatrix*," or something betokening it, be introduced—whether for India or England—would there be anything in this Act to prevent him from doing it?

The Marquess of HARTINGTON observed that the Government had hardly considered all the questions involved in this proposed change. The right hon. Gentleman had just told them that the style of the Queen in India would be Queen of the United Kingdom of Great Britain and Ireland and Empress of India, and that he presumed the sign manual would be in India "*Victoria Regina et Imperatrix.*" As the style of the Sovereign in India would be the same as in England, he could not see why the sign manual in India should be different from that in England; and if this change which was about to be made involved a change in the sign manual from "*Victoria Regina*" to "*Victoria Regina et Imperatrix,*" why should not a corresponding change be made in England?

Sir GEORGE BOWYER observed that the public had nothing whatever to do with the sign manual, and the responsibility for advising Her Majesty to alter it would remain with the Minister. Most certainly this Bill would not restrain any Minister in the future from advising Her Majesty to alter the sign mannal; and if it did so, it would be a most unconstitutional measure.

Sir WILLIAM HARCOURT said, he was ashamed to hear the language that had fallen from the hon. and learned Baronet the Member for Wexford uttered in the House of Commons, where such views had not been enunciated since the time of the Stuarts. The whole thing depended upon their creating the title, and consequently giving a Minister an excuse or a pretext for altering the sign manual. When the great Reformation statute with reference to the title of the Crown was passed, it had become a sort of constitutional doctrine that these titles should not be altered except by Act of Parliament, and therefore it was that at the time of the Union with Ireland special authority was given for altering the title. Therefore it was that this Bill was brought in. While the Bill was in their hands, they had a perfect right to propose any addition to it they chose with reference to this title. That was the constitutional doctrine, and the only thing they had to ask now was whether the sign manual would be altered in England; and if the Government did not intend that, would they give the English nation any security that if it was not done in the present it would not be done in the future?

The Marquess of HARTINGTON said, that the right hon. Gentleman had not answered the question put by the hon. and learned Member for Oxford.

The ATTORNEY GENERAL thought that when the hon. and learned Member for Oxford rushed so boldly to the front, and told a very good constitutional lawyer that he was utterly wrong, he could not have heard the question of the right hon. Member for Greenwich. The question simply was, whether there was anything in the Bill which would prevent any Adviser of Her Majesty in future from suggesting that there should be any alteration in the sign manual? He understood the hon. and learned Baronet (Sir George Bowyer) to say that there was nothing in the Bill to prevent anything of the sort, and that it was not necessary that there should be. He might be a very bad judge of the matter; but it occurred to him that there was nothing stated by the hon. and learned Baronet that had even a semblance of bad law about it. With regard to the alteration of the sign manual—as the title of Empress was only to be a title applicable to India, and used for the purposes of India—it might be necessary to have the sign manual altered upon all documents used in India, or purporting to be used there. He did not suppose it would be necessary to have the same alteration made in respect of the documents used in England.

Mr. GLADSTONE said, it was a very important matter, and he hoped that the right hon. Gentleman would at the next stage of the Bill acquaint them with what was to take place.

Amendment, by leave, *withdrawn.*

Mr. Serjeant SIMON moved, as an Amendment, that in the words "addition to the style and title," in line 6 of the 1st clause, the word "Royal" should be inserted before "style." The right hon. Gentleman at the head of the Government in introducing the Bill said that he followed the precedent of the Act of Union, but in that Act the title of the Crown was described as the "Royal title." It was of the utmost importance that the word should be inserted, considering the jealousy with which the adoption of this new title was regarded by many hon. Members of that House and by a large portion of the community.

Amendment proposed, in page 2, line 6, after the word "the," to insert the word "Royal."—*(Mr. Serjeant Simon.)*

Question proposed, "That the word 'Royal' be there inserted."

The ATTORNEY GENERAL submitted that the Amendment was unnecessary. There could be no doubt that what was meant by the words was in addition to the present style and title of Her Majesty.

Mr. W. E. FORSTER thought it would be better in this matter to abide by the precedent of the Act of Union.

Mr. DISRAELI pointed out that the reference was to the style and title of the Imperial Crown of the United Kingdom, and that the word "Royal" was unnecessary.

Mr. W. E. FORSTER expressed a wish that some Member of the Government should state why there had been a distinct departure from the wording of the Act of Union.

Sir WILLIAM HARCOURT said, there was a further reason why the Amendment should be adopted—namely, that the title of the Bill was to enable Her Majesty to make an addition to the Royal style and title.

The CHAIRMAN was about to put the Question, when——

The Marquess of HARTINGTON said, it was not the wish of hon. Gentlemen on that side of the House to cause any unnecessary delay or to divide the Committee, if it could be avoided; but it was rather difficult to avoid going to a division when the appeals made for information from that side of the House met with no response from the Government.

Mr. DISRAELI said, he had confidence in the manner in which the Bill was drawn, and, using also his own intelligence as a layman, it appeared to him that the manner in which the Bill was drawn was preferable to that suggested by the hon. and learned Member for Dewsbury. That, he thought, was a sufficient Parliamentary reason for not acceding to the Amendment.

Mr. Serjeant SIMON called attention to the use of the word "Royal" in the second Article of the Act of Union. If the right hon. Gentleman intended to follow the precedent of that Act as he had stated, why had he not adopted from it the use of the words "Royal style and title?"

Sir GEORGE BOWYER said, the precedent referred to by the hon. and learned Member for Dewsbury was inapplicable to the present case. At the Union Parliament was making a Kingdom, and therefore defined the style and title of the Sovereign by the word "Royal;" but here he would remind the hon. and learned Member for Oxford they were not even creating a title —they were only enabling Her Majesty to assume one. The hon. and learned Gentleman seemed think that no one knew anything about law but himself. He (Sir George Bowyer) did not think so. The hon. and learned Gentleman was exceedingly skilful in conducting or opposing the progress of Bills through Parliamentary Committees, but no one suspected the hon. and learned Gentleman of being a lawyer, and he should be sorry to follow the views of the hon. and learned Gentleman on a question of law.

Mr. W. E. FORSTER said, this was not an unimportant matter, for the country was very jealous of the word "Royal," and would be inclined to think that there was some meaning in its omission.

Mr. GATHORNE HARDY said, he was very much surprised at the extraordinary pressure used in the matter, seeing that in the very clause under notice the words—"the Queen by her Royal proclamation" were used.

Mr. W. E. FORSTER said, he could not understand why the desire to abide by precedent should be opposed.

Question put.

The Committee *divided:* — Ayes 92; Noes 171: Majority 79.

Mr. NEWDEGATE, who had an Amendment upon the Paper, said:—Sir, I wish to make an alteration in the terms of the Motion of which I have given Notice; to propose the following addition at the end of the 1st clause of the Bill:—

> "Provided, That nothing in this Act shall abridge or prejudicially affect the power or authority of Parliament in relation to the Government of India."

It may appear, after the attention which the House has given to this Bill, that any provision of this sort must be unnecessary. But I beg the Committee to consider that we are now about to ratify a great settlement in India; that the assumption of the title of Empress by Her Majesty is to set the seal to the form of Government now established in that country, and that a form of Government totally differing from every constitutional principle; for the truth is that our Government in India is a system of absolutism. And I have never yet been able to understand why the right hon. Gentleman the Chancellor of the Exchequer should have spoken of the feeling which the introduction of this Bill produced as an "idle panic." The proposal is, that the title of Empress shall be assumed by Her Majesty in confirmation of a system of absolutism which has been created by Act of Parliament. Now, it is not unnatural that those, who in this country enjoy the benefits of a constitutional form of government; who are proud of the Imperial character of this Realm, and regard the title of Queen as the emblem of the supreme power of a Constitutional State, should view with some hesitation the creation of a form of government so totally different, and look with jealousy upon that form of government being stamped with what may appear final adoption by the assumption of the title of "Empress" by Her Majesty. That feeling has been widely spread among the educated classes of this country, and the question which I would raise is this—Are we, the Commons of the United Kingdom of Great Britain and Ireland, by ratifying this form of government, abdicating in any sense our power of interference in the affairs of India? ["No, no!"] Now, the answer that I wish to have is something more than can be conveyed by a monosyllabic "No." I wish to have a clear and an explicit answer to that question, and it is with that object, that I propose the addition of the words I have read to the House. It is quite evident to me that something of this kind has passed through the mind of the hon. Gentleman the Member for Kirkcaldy (Sir George Campbell), whose authority on subjects connected with India no one will dispute. He has placed an Amendment on the Paper providing, that in the event of a conflict between the laws passed by the absolutism, which we are about to ratify by Act of Parliament, and the statutes, which are enacted by Parliament, the former shall yield to the latter. It may be said, that there can be no conflict of this sort, because we have a Secretary of State for India in each House of Parliament; and I may be asked, whether that is not a sufficient recognition of the authority of Parliament over the Government of India. That may be a recognition, a sufficient recognition of the authority of Parliament over the Executive; but what I wish is to see a recognition of the authority of the central State as embodied in the laws for the government of India, as well as of every colony. It appears to me that this House can have no right to abdicate its share of the Imperial power of this country. This is an Imperial Parliament, and if we are to create an Empire in India, it seems to me that it would be prudent that this House should beforehand reassert its share in the legislative authority of the Empire it creates in India, as equivalent to the share it possesses in the Imperial Parliament at home. It is with this view, that I now move the addition of the Proviso. I wish also to assure our fellow-subjects in India of the full security, their right of appeal to this, the Great Inquest of the nation, and not less of the nation than of the Empire; so that, not having any form of representative government among themselves, they may be assured of their right to indirect representation in England. These, Sir, are my objects. I will not further detain the Committee with other reasons which I might adduce for the desire I feel to obtain from Her Majesty's Ministers some statement, which will I trust satisfy the Committee that, by thus ratifying the form of government which we have established in India, we in no sense abdicate our legislative rights over India, but that concurrent with the authority of Her Majesty, as Empress, shall be the authority of this Imperial Parliament. The hon. Gentleman concluded by moving the Amendment.

Amendment proposed, in page 2, line 8, after "seems meet," add—

"Provided, That nothing in this Act shall abridge or prejudicially affect the power or authority of Parliament in relation to the Government of India."—(*Mr. Newdegate.*)

SIR GEORGE CAMPBELL hoped the Government would accept the Amendment, as calculated to prevent misconstruction in India. The Princes of India did not understand our system of Parliamentary government, and they might be disposed to believe that assumption of the direct government of that country by the Queen carried with it greater power than they had hitherto been accustomed to associate with her name. He was much afraid that behind the alleged satisfaction of the Princes of India with the proposed Government measure, there was an idea that, as a result, they would have a more direct appeal to the Crown, and would be less completely under the authority of the Viceroy in India, who acted under an authority derived from Parliament. Now, while he thought the Princes of India might be really well pleased that there should be an assumption of title by Her Majesty, and while he felt satisfied that they did not assert anything like political supremacy, the adoption of the Amendment would serve as a warning to them that India still continued to be governed by Parliament as before, and that the title was assumed by the Sovereign as representing the British nation.

THE ATTORNEY GENERAL said, he was glad to hear from so high an authority on Indian subjects as the hon. Gentleman who had just spoken, that the Princes of India were anxious that Her Majesty should assume a title as Ruler over them, and his right hon. Friend at the head of the Government, who had been taunted with not producing evidence to show the existence of that desire, might have appealed to such a witness with confidence had he known the opinions which he held on the point. As to the Amendment, he thought that the Committee would not be able to approve of it; because, in the first place, it was unnecessary, for by nothing in the present Bill was it sought to interfere with the power of Parliament to legislate for the future as it might deem fit; and, secondly, it was mischievous, because its insertion might throw a doubt on the validity and correctness of that proposition. In reference to the remarks of the hon. Member for Kirkcaldy, he must express his opinion that there could be no doubt that the Parliament of this country could, if it chose, legislate for India or any of the colonies. It was, however, another question how far it would be expedient for Parliament to do so. There was no good ground for supposing that the assumption of the title of Empress would confer on the Queen any more direct power than Her Majesty at present possessed over the Native Princes in India.

MR. NEWDEGATE pointed out that he had altered his Amendment since it had been placed upon the Paper; and though he had moved it in its altered form, he found the hon. and learned Member was addressing himself to the Amendment in its original shape.

The ATTORNEY GENERAL said, he had been misled by the form of the Amendment as it appeared on the Notice Paper; but still the same objection he had urged, applied to it in its altered shape. He, therefore, must oppose the Amendment, on the ground he had already stated.

Sir WILLIAM FRASER opposed the Amendment. He could not believe that the Natives and Princes of India were so wanting in intelligence as not to understand what had occurred in a matter so simple. They would never imagine it was intended that Her Majesty should become a tyrant. The Maharajah Dhuleep Singh had expressed to him his decided opinion that the title should be Empress, and when adopted by our Sovereign, would be most pleasing to the people of India.

Sir GEORGE BOWYER said, it was unquestionably the law of England, as Lord Coke laid it down, that "a statute restraining future Parliaments bindeth not." With regard to the title of Empress, undoubtedly it was un-English, but then it should be remembered that nothing could be more un-English than India. In his opinion the title of Empress would be generally accepted soon after the Royal Proclamation was issued, and be no more objected to than the title of Marquess, which on its introduction here some centuries ago was regarded as un-English. The whole affair was a nine days' wonder; in a short time everybody would be familiar with the title, and would wonder why there had been all this fuss about it.

Sir WILLIAM HARCOURT said, the great objection to the title of Empress was, that it would soon be generally accepted in the country. He would remind the hon. and learned Baronet that in the course of time the title of Earl had become merged in that of Marquess.

Sir GEORGE BOWYER denied that one title could become merged in another.

Mr. GOURLEY thought the majority of the Princes of India would not be satisfied with the measure. With regard to the Natives, however, it was very different, for as long as they were well fed they cared very little what title the Sovereign assumed. So far from caring either for Empress or Queen, the only authorities they looked up to were the local magistrates and the Chief Judge of the district.

Mr. A. MILLS believed that the Bill contained nothing to invalidate the functions of Parliament, and considered the Amendment quite unnecessary.

Mr. NEWDEGATE, in withdrawing the Amendment, said: My understanding of this Bill is that it is a declaratory Act, meant to confirm the form of government now established in India. That is my understanding of the Bill, and I was anxious, in concurrence with the hon. Member for Kirkcaldy, that there should be no belief either in India or in England that Parliament, by the passing of this Act, creates any new authority. It was once said by the first Napoleon that the concurrence of the Pope in any European struggle was worth 100,000 men, and my belief is, that the active co-ordinate co-operation of a free and an independent Parliament, the Imperial Parliament of the United Kingdom of Great Britain and Ireland, is worth several armies to Her Majesty, to any Sovereign of these Realms; and my wish is that the belief should not prevail for one moment in India that Her Majesty, by the assumption of any new title, is in any degree separating herself from the constitutional power and authority of England which has moulded India and governs the Empire. I am convinced, that, without some explanation of the kind, the false impression may be produced in India, that we are effecting a constitutional change in this country and an alteration of the system of government in India. That, we now have the authority of the hon. and learned Attorney General for saying, is not intended; and I trust he is correct in believing will not result as an effect of this Bill. I will not now press the Motion further. My object in proposing it has been, and is, to bring prominently before the House that we ought not in this declaratory measure to leave any doubt upon the mind, either of the people of England or of the people of India, as to any intention on our part to alter either the principles or the particulars of the form of government which now exists in India.

Amendment, by leave, *withdrawn.*

MR. PEASE, in moving, as an Amendment, in page 2, line 8, at end, to add—

> "Provided, That nothing in this Act contained shall be taken to authorize the use in the United Kingdom of any style or title of Her Majesty other than those at present in use as appertaining to the Imperial Crown,"

said: Sir, I beg leave of the Committee to amend the addition to this Bill, of which I have given Notice, by striking out the words "or any member of the Royal Family," as I am advised that those words, if retained, would have the effect of curtailing Her Majesty's present Royal Prerogative in granting titles to the Royal Family, which is no part of the object I have in view. The House has before it to-night an instance of the great inconvenience arising from the very unprecedented policy of pushing forward important Bills at a great speed through the House. Sir, I was one of those who, on Thursday week, voted in the minority on the Motion of the hon. Member for Banbury (Mr. Samuelson) for an adjournment of the debate. I did so under a feeling that Her Majesty's Government were most unduly pressing the second reading of a most important measure — a measure which, as a matter of fact, had not been till that evening either before this House or the country. It is true that a Bill had been presented in accordance with the Royal Speech, giving Her Majesty power by proclamation to alter or add to the Royal titles; but we were in entire ignorance, until the right hon. Gentleman's announcement, what those titles were which Her Majesty's Advisers had recommended her to adopt by proclamation. Sir, this House knew nothing—the people of India knew nothing—the people of this country knew nothing of that which we had to decide upon; all had been kept a profound secret until Thursday last, when we were pressed to read this Bill a second time. Such, Sir, was the course followed by Her Majesty's Government on Thursday week, and although the debate on Thursday last was, in fact, and admitted on all hands to be, a second reading debate, the same system was followed. A great number of Members had occupied their places during the entire evening, desiring to address the House, and had each risen several times, amongst others the hon. and learned Member for Denbigh (Mr. Osborne Morgan), the noble Lord the Member for Bury St. Edmund's (Lord Francis Hervey), and other hon. Members who sit beside me and behind me, were amongst those who desired to address the House, and the greatest inconvenience of all was, that the Prime Minister, to use his own words, had to waive his right of speaking. Had he done so, those explanations which he has to-night added to those he made on the second reading of the Bill, would have been before the Committee on Thursday last instead of this evening. If I understood the right hon. Gentleman correctly, he said that the title of Empress had been dictated by local circumstances, and was solely for the gratification of India. He told us further that it was never the intention of Her Majesty's Government to recommend the substitution of Empress for Queen. If I am wrong in this matter, I hope the Chancellor of the Exchequer will correct me, and that Her Majesty's Advisers will not recommend to Her Majesty the assumption of the title of Empress in England. If that is to be the case, and these titles are to be Indian titles, and not English titles, what guarantee are we going to have for that? I desire to place those views on the records of the House. Is the right hon. Gentleman prepared to take the Motion of my noble Friend the Member for Haddingtonshire (Lord Elcho) "that an Address should be moved on the third reading of the Bill, that Her Majesty would be pleased to make this purely an Indian title?" This seems to be a most important matter, because I look upon this Bill as a great constitutional Bill, and I want to know, when Royal documents are brought out in this country, whether they will be in the style of "Victoria, by the Grace of God, Queen, Defender of the Faith, and Empress of India." If they are English documents, whether they will stop at Defender of the Faith, or whether the word "Empress" of India is to appear upon all forms? I wish to address a few words to the Committee, not on Indian grounds, because much as I dislike a great deal of the argument about India, I presume they have gone so far that they are almost bound to the question of Empress of India. I look upon the word Empress as an insult to the people of India. It seems to me that we call her Empress because we have conquered India, and that is the reason why we refuse it for the United Kingdom and use it in India. Is the day never to come when Indian institutions are to be made more constitutional? Is the day not to come when the title of Emperor is to be as little applicable to India as to England? In moving this Amendment I am, of course, presuming that it is still the intention of Her Majesty's Ministers to advise Her Majesty to assume the title of Empress; but, Sir, in assuming that, I cannot help asking the Prime Minister if he is going to hand to Her Majesty a title conceded reluctantly by three-fifths — ["No, no!"]—then, Sir, if not reluctantly, willingly and obediently, by three-fifths of this House; but which two-fifths decline to offer her. Surely no Sovereign of England ever received so vain an oblation! But, Sir, the House having determined that an alteration or addition to Her Majesty's titles should take place—a course which, however much I may regret it, is now determined upon—I shall not trouble this Committee with those reasons which I had hoped to have offered in debate, but I shall address myself to those reasons which have induced me to give Notice of the Amendment now before the House. I will endeavour to discuss the matter, influenced by those considerations which influence us all—a sincere regard for Her Majesty's comfort, for the prosperity and tranquillity of her reign, and for the maintenance of that Constitution of which we are all so proud, and which is the great birthright of every Englishman. Then, Sir, by the simple but grand title of Queen, Her Majesty has been long known to us, and long beloved by us. And where a title and a person have been so long associated with every loyal feeling, I think it requires a strong reason to advocate a change. And, Sir, no reason has, during the debate, been given for altering the title as regards the United Kingdom—far otherwise. My hon. Friend the Member for West Cumberland (Mr. Percy Wyndham) said "the Queen was at the head of a constitutional Government here, and therefore her title here was Queen; but in India she was at the head of a despotic Government, therefore her title must be Empress." The hon. Gentleman the Member for Cambridge University (Mr. Beresford Hope), thought "it was a healthy outburst of true loyalty—the righteous determination of the people—that the Crown of Edward and Alfred should be at all times the Crown of Kings and Queens. He was exceedingly glad that the question had been raised, and that the people of England would have the opportunity of declaring their peculiar, but really genuine, hereditary affection and adhesion to the kingly title. He trusted that what had been said would prevent the danger of an Imperial title being forced on the people of this country." The noble Lord the Member for Haddingtonshire (Lord Elcho) spoke in the same strain. The whole argument, from first to last, is that Kings and Queens are for England, and Empress for a Sovereignty over the Princes of India. From the commencement of this idea being circulated, I have objected to a change of title, but especially to that of Empress being added; but I confess mainly on English grounds. The only effect it can have is to impair the title of Queen in the eyes of all Englishmen, and, Sir, if it is used in the United Kingdom, we shall have a constant struggle between the Court sycophants who use "Empress" and "Imperial" and those who use "Queen" and "Royal," to the great detriment of Her Majesty and Her Majesty's subjects. I humbly think, Sir, that the use in this Kingdom would be to endanger the tranquillity of the reign. I feel certain it would damage the safety of the succession. I think it would be detrimental to the Constitution. These are strong views, but I will state my reasons for holding them, and in giving them I would first state my belief that no Sovereign on earth at this moment reigns over a more loyal and devoted people, from the day when, in her almost girlhood, she ascended the Throne, she reigned, as a Sovereign should ever reign, in the hearts of her people; and from that sad Sabbath morning, when the tolling bells of every mother church in this Kingdom told the sad tidings of Her Majesty's great sorrow, down to this moment, she has possessed the sympathies of her people. Whatever it may be in India, I entirely deny that the titles of Empress and Queen in the eyes of Europe, and in the minds of the people of England, mean the same thing, and whatever may be the desires of those three tailors of Tooley Street, the Talookdars of Oude, the desires of the people of this country are in an entirely opposite direction. In the eyes of the people of England the government by an Empress is a less constitutional government than that of a King. Power is more vested in the Crown—less in the House of the people. The associations of the people of this country are not favourable to the title of Emperor. The title is not associated with free institutions. But, Sir, what is the history of that better title which so many of us prefer? Why is it popular? It has had a long line of unbroken descent standing out a monument through centuries. It is the pride of our country that, whilst other thrones of Kings and Emperors have passed away, our Constitution as a kingdom has gathered strength; whilst the Monarch has become less powerful, he has become more popular; and, as the growth of free institutions has demanded it, power has been steadily distributed, till it now concentrates in this House—the Representative House of the People. And, Sir, the people of this country, knowing this, will not suffer the sound—if it be, as we are told, but the empty sound of a title that even seems to convey more power to the Crown. Sir, I have said Her Majesty reigns over a loyal people, but no one can be blind to the fact that thousands of the working people of this country—living far from the attractions of Courts — look most philosophically upon Kings and Princes, as belonging to a state of things that has more to do with the past than with the present. They look at an hereditary Monarchy as a thing that it is somewhat difficult logically to associate with free institutions, and they ask, at election times, ugly questions on Royal dowries, Royal savings, and Royal expenditure; and still, with all this, they say Her Majesty has set a great example of all domestic virtues, so dear to the people of this country. In all that she has been graciously pleased to reveal of her home life, there runs through it a warm love of free institutions. They say by example and precept, she has encouraged the good and the noble, the charitable and the benevolent; that, whilst they protest against the logical character of the position, they love the Queen and they love the Constitution. But let Her Majesty assume another title in this country which savours ever so little of that which they dislike—government by Emperors—and they will quickly ask, in no pleasant tones, what it means. If it means nothing but tawdry tinsel, they will despise both the giver and receiver. If it means anything, it means that there is to be an alteration in the relative position of Sovereign and people. Their personal loyalty will be diminished, as Her Majesty's Government will have driven them into the position of deciding between their personal regard for their Sovereign and their love for that Constitution which is so dear to us all. I have deemed it my duty to speak thus plainly, because I think I have some knowledge of the subject on which I speak. I ask whether the risk we are running is worth that which we can gain by a change. I ask that either by this Act or by an Address to Her Majesty, as suggested, or by words to be brought up in a subsequent stage, this House shall have on its records that we will have no Emperor in England. Let us draw the line suggested by the hon. Member for West Cumberland. If an Empress is needed for India, let us have a Queen at home. But, Sir, make this a title which is used ever so little in England, and we may rest assured that, whether the Administration of the right hon. Gentleman be longer or shorter, he will leave his Sovereign weaker on her Throne than he found her, for no other reason than that he thought a great title received from a long line of ancestors could be amended by an addition foreign to the tastes and traditions of a loyal people. The hon. Gentleman concluded by moving the Amendment.

Amendment proposed, in page 2, line 8, at end, add—

"Provided, That nothing in this Act contained shall be taken to authorize the use in the United Kingdom of any style or title of Her Majesty, other than those at present in use as appertaining to the Imperial Crown."—(*Mr. Joseph W. Pease.*)

THE CHANCELLOR OF THE EXCHEQUER said, he did not know whether the Committee was really to go into a revival of the discussion on the second reading on the occasion of this clause. His hon. Friend rather indicated that he had been disappointed in not having been able to deliver his views on a former evening, and he did not grudge the hon. Gentleman the opportunity which had now arisen, although he might regret the course he had taken. He hoped, however, the Committee would not allow itself to be led into travelling again and again over the ground it had already traversed. The Amendment, if adopted, would have the effect of doing that which his right hon. Friend the Member for Greenwich (Mr. Gladstone) objected to in another sense. After giving Her Majesty power to do something, it would afterwards put a restraint on that power, and in such a way as to prevent Her Majesty doing that very thing which, in the earlier part of the evening, so many Members seemed to wish she might do—namely, introduce some words with regard to the Colonies. The Amendment was—

> "Provided, That nothing in this Act contained shall be taken to authorize the use in the United Kingdom of any style or title of Her Majesty other than those at present in use as appertaining to the Imperial Crown."

That would not only shut out the title of Empress, but also any possible title which might be taken from the Colonies. Really, after what had been stated by the Prime Minister at the beginning of the evening—that it was not at all the intention of Her Majesty's Advisers to advise Her Majesty to take the title of Empress to be borne in this country, but that it should be a title of a local character to be borne in India—the Amendment would be simply in the nature of an expression of Want of Confidence in the promise or statement of his right hon. Friend. The Bill was to enable Her Majesty, of course with the advice of her Ministers, to make proclamation stating her style and title. The nature of that advice had been already stated, and of course the proclamation, if at variance with the promise given, would be subject to comment in Parliament, though the proclamation would stand. There was therefore no necessity for such a clause; its only effect would be to encumber the Bill, if they were to adopt it. It would be of advantage to nobody, and would be injuriously restrictive to the Prerogatives of the Crown.

Mr. PEASE said, his observations were founded altogether on the supposition that "Empress of India" was to be the title, and that Her Majesty was not to take any title from the Colonies.

The Chancellor of the Exchequer

Mr. MUNTZ, said, he was surprised at the speech of the right hon. Gentleman the Chancellor of the Exchequer, objecting to the Amendment, as it was exactly in accordance with the statement of the Prime Minister, which, in the early part of the evening, had given so much satisfaction to the House, and he believed it would give satisfaction to the country. This was a question not to be decided by the Minister of the day. They did not know who would succeed him, and what advantage would be taken of the Bill; therefore it was necessary to well guard the title. The House had been informed by the Prime Minister that this new title was to apply to India only, and not to this country. On the other hand, the Attorney General had informed the Committee that this title of *Regina et Imperatrix* was to be used in this country with reference to affairs of India. Whether anything was to be done for the colonies was a matter, they had been told, for future consideration. He believed that if hon. Members on the Ministerial benches were ballotted, a large proportion of them would decide that there should be no change in the title at all. As there was to be a change, however, the question which the Committee had to consider was, what that change should be. He would suggest that the course which was adopted in the case of the King of Prussia when he assumed the Imperial title should be followed in the case of our own Sovereign. There were places in Germany of which His Majesty could not assume to be Emperor, and the Imperial Council got over that difficulty by deciding that the title should be "Emperor in Germany," instead of "Emperor of Germany." In the case of our own Sovereign the difficulty with respect to such places as the French and Portuguese Settlements in India would be got over in the same way by the adoption of the title "Empress in India" instead of "Empress of India." It was important that her Majesty should not be placed in a false position, and that the people of England should be satisfied that everything was fair and above-board. He felt a veneration for the title of Queen, and he should be sorry to see it sullied in any way.

Sir H. DRUMMOND WOLFF protested against the assumption of hon. Members opposite that they were the sole interpreters and representatives of public opinion in the country; and still more against their assertions that hon. Members on the Conservative side voted against their consciences at the bidding of the Leaders of their Party. He supposed the reason of these insinuations was that, while those who sat on the Government side of the House were firmly united on certain principles, hon. Members opposite were united on nothing. The Amendment attempted to limit in a most improper manner the Prerogative of the Crown in the use of such titles as might be thought proper to assume. In diplomatic documents it was usual for the Sovereign to be described by every title in his possession. The Emperor of Austria, for instance, was described in Austria as "King of Hungary and Bohemia," but that did not imply that the kingdom of Hungary and Bohemia gave him any power in Austria more than the Imperial title gave him any power in Hungary and Bohemia. In Austria he was known as Emperor, in Hungary as King. If Her Majesty were not to use the title of Empress in this country, her not doing so would lead to great complications, and also to great legal difficulties. Such a limitation would be extremely inconvenient, if not impossible. In the case of a proclamation of neutrality, the Queen must recite all her titles to show that it applied to all her dominions. He sincerely trusted the Government would not give in to this attempt to foist in at the end of the Bill, by a side-wind, an addition to the clause which would re-open the whole question and make the Bill utterly unworkable.

THE MARQUESS OF HARTINGTON said, he had no wish to re-open the discussion on the Main Question, because, much as he regretted it, he accepted the division on Friday morning as conclusive, on the question of the title which Her Majesty should be authorized to adopt. There was nothing, however, either in the speech of his hon. Friend the Member for South Durham (Mr. Pease) or in his Amendment which re-opened that point. His hon. Friend merely wished to give effect to the general desire—and he (the Marquess of Hartington) was not certain that it was not also the desire of Her Majesty herself—that the title of Empress, if it were adopted at all, should be strictly localized, and not used in ordinary documents and instruments in this country. The Chancellor of the Exchequer said the Amendment would restrain the use of the power which it was the object of the Bill to confer on Her Majesty and that this restraint would go so far as to exclude its use in the colonies as suggested by hon. Members on the Liberal side of the House. But he (the Marquess of Hartington) conceived that the colonies were already excluded from the scope of the Bill. Her Majesty could not, under the terms of the Bill, alter her title so as to include any recognition of her colonial dominion. The Chancellor of the Exchequer further said that the Amendment argued distrust in the statement made by the right hon. Gentleman at the head of the Government in the earlier part of the evening. He should be glad if this were so, for if the right hon. Gentleman and his hon. Friend the Member for South Durham really meant the same thing, and only proposed to adopt different modes of accomplishing the same object, the difference between the two sides of the House was not very great. He could not gather, however, that the statement of the right hon. Gentleman went to the extent of the Amendment. It was perfectly clear and explicit as regarded the members of Her Majesty's family. But what did the right hon. Gentleman say respecting Her Majesty herself? He said there never had been, and was not now, any intention of substituting the title of Empress for that of Queen. There was no impression that such had ever been the intention, and indeed the terms of the Bill would not admit of the substitution. The Bill authorized an addition to the Royal title, and not a substitution, and from the expressions which had fallen from the right hon. Gentleman and also from the Chancellor of the Exchequer and the Attorney General, he gathered that it was the intention of the Government some way or other to advise that there should be a local limitation of the title of Empress, and that the Bill was not to make any difference in the ordinary style by which Her Majesty was known. If that were so the Committee ought to be told the fact in the most distinct language that the Ministers could use, and he thought they ought also to be told in what way an object in which all were agreed might be permanently secured. He saw no reason to doubt that Her Majesty's Advisers would recommend her to assume and make use of that title which was most consistent with the wishes of the people. But, as had already been remarked that evening, Parliament was legislating not for the present, but for the future; and the intentions of Her Majesty, assured as the Committee might be that they would conform to the wishes of the people, and of her Ministers, however wise and prudent they might be, would not bind future Governments. Was it not desirable then, if they were all agreed that there should be a limitation to India of the use of this title, that they should be put in possession of the intentions, opinions, and wishes that existed upon the subject, in order that their sense might be placed in the Bill as an authoritative expression of the opinion and wish of that House and of the country. If the Government were not prepared to accept the Amendment of the noble Lord the Member for Haddingtonshire (Lord Elcho), or if they were not prepared to adopt either of the modes which had been suggested, then he asked what other mode would they suggest? Would they adopt the advice given in the speech of the hon. Member for Birmingham (Mr. Muntz), and if not, was there really any other mode which they could suggest to the Committee? He protested against the idea that any distrust of the good intentions of the Government was insinuated by the Amendment. If they were all agreed, let there be an expression of the opinion of Parliament upon their records, and not leave to chance and to a time when that discussion might be obliterated, the use of this new title.

MR. DISRAELI: I am willing to believe that the intention of hon. Members on this side may be in accordance with that of the hon. Member for South Durham, but I cannot agree that the result will be accomplished by the Motion he has made. I will not debate on the point as to the invasion of the Prerogative, but we all agree that it is for the Queen, as the fountain of honour, to decide what title her subjects or herself shall assume, and any restrictions upon that Prerogative are, I think, most unwise. Prerogative, I am aware, is not a popular subject, and several hon. Gentlemen in this debate have spoken of it with lightness and even of indignation. This is hardly an occasion in Committee to dwell upon it, but still I must remind hon. Gentlemen that the Prerogatives of the Crown are of great value and importance. The fact is, that Parliament exists by the Prerogative of the Crown. It is the Royal Warrant which allows this House to be elected and to assemble, and without it we could not meet in this place. We could not go to our constituents without the Writ of the Sovereign. The noble Lord who has just addressed us has put the case very fairly before us. He gives myself and my Colleagues credit for being sincere in the statements we have made, and feels that we have given honest advice to the Sovereign—and that advice, I am bound to say, has been received with the utmost sympathy—namely, that the title which Her Majesty has been advised, for great reasons of State, to assume, shall be exercised absolutely and solely in India when it is required, and that on becoming Empress of India, she does not seek to be in any way Empress of England, but will be content with the old style and title of Queen of the United Kingdom. To all purposes, in fact, Her Majesty would govern the United Kingdom as she has always governed it. At the same time, I cannot agree that we are to interfere with the Prerogative of the Queen, and that under no circumstances shall she acknowledge herself in this country, or be acknowledged by others, upon the necessary business of the State, as the Empress of India. Take, for example, a most important State incident that occurred a month ago. The Queen of England appointed a new Viceroy of India. In issuing that Commission, was the Queen of England not to act also as Empress of India? In diplomacy my hon. Friend the Member for Christchurch (Sir H. Drummond Wolff) has already mentioned that it is the constant practice—indeed the universal rule—in all documents relating to treaties to recite the full titles of the Sovereign; but because on such occasions the full titles are recited, it must not be regarded that to do so at St. James's is a violation of the engagement which, so far as I have any power in the matter, I have entered into with the House as to Her Majesty governing India only, and not England, as Empress. I mention that to the House to show that we must not too precipitately accept Amendments of this character, which, however plausible they may appear, may in the conduct of public affairs involve us in great inconvenience, whereas, by adhering to the sound constitutional rule that we should not interfere with the Prerogative of the Crown in regard to honours, we shall save ourselves from all those difficulties. The security which the noble Lord wishes, either by a vote of the House or by a clause in the Act of Parliament, is, after all, only a temporary security. Decisions whether by Ministries or by Parliaments do not bind in any way the Ministries or Parliaments who follow, and, as a matter of fact, the duration of Ministries and Parliaments is, on an average, much about the same. In that way I consider that if a Ministry engages, on the part of the Crown, that a certain act shall be consummated, upon the average of incidents, and taking the duration of Ministries and Parliaments to be equal, the country has about the same security as it has in a Resolution of Parliament. Nobody can contend for a moment that the intention of Parliament is more than a temporary security. We cannot bind our successors, free as air in this matter as in every other, and the very first day of meeting they may make a Motion on the Address which would entirely overthrow all the arrangements which we are now asked to make. It appears to me, I confess—although I do not pretend it is a security which can be, under all circumstances, valid and absolute—that the best way of accomplishing what has been expressed by the noble Lord, and with which there is very little discordance on this side, would be by the Proclamation which, if this Act passes, Her Majesty will have the power to publish. In that Proclamation when she announces her Royal purpose to assume this title, it is not impossible—indeed, it would be in keeping with the character of all proclamations—that the opportunity would be taken of expressing the spirit in which Her Majesty availed herself of this great honour. I do not pretend that that would be a perfect security, because there might in the course of time be other proclamations which might rescind that particular one; still I must say that upon the whole, for obtaining the purpose which the noble Lord has in view, I really believe that a Royal proclamation issued under those circumstances would be a much better security than any arrangement made by Parliament. The hon. Gentleman whose speech has been more than once referred to—I mean the hon. Member for Birmingham (Mr. Muntz), who never speaks on any subject without thought and information—I state my conviction on that point with great pleasure—has made many ingenious remarks, which, unfortunately, are all erroneous. The hon. Gentleman appears to consider that it is ridiculous or wrong that the Sovereign should adopt the title of Empress of India when all India does not belong to her. The hon. Gentleman says—"Look at Pondicherry; that belongs to the French." So it does. But is not Alfonso King of Spain, although Gibraltar belongs to England? Yet the hon. Member and others with him lay it down as fact, that no Sovereign can take the title of a country, unless he is the possessor of every acre of it. Why, the Kings of France—no mean Sovereigns—were for a long time Kings of France, although they did not possess every inch of what was, properly speaking, French territory. Take the case of the King of Italy at the present day. Why, he was King of Italy—and no person acknowledged him as King of Italy with more fervour than the right hon. Member for Greenwich—when he did not own either Venice or Rome; and now we are told that the Queen is not Empress of India because, forsooth, she does not possess Pondicherry. Why, we can make France a present of Pondicherry twice over. Now he came to the German instance of the hon. Gentleman, which he said ought to prove a solution of our difficulty. He referred to the conduct of the King of Prussia at Versailles, when the Princes of Germany assembled to congratulate him on his great victories, and offer him their esteem and the reward of his merit. The hon. Member says that the difficulty was, that they wished to make him Emperor of Germany, but that there were several minor parts which he had not conquered or which did not belong to the Princes, and that therefore it was arranged that he should have the title of Emperor in Germany. I have no doubt the hon. Member has read his history in some newspaper of the time. I dare say one of "our own Correspondents" has sent him down three columns, describing in most picturesque terms the touching scene in which the Emperor "in" Germany was created. All I can say, with my knowledge of public affairs, which now is not limited, is that I never became acquainted with that Potentate, or with the Representatives who, I suppose, are here as his envoys. I know nothing about the "Emperor in Germany." There is the King of Prussia, and, so far as I know, he is Emperor of Germany. [Mr. MUNTZ: I beg the right hon. Gentleman's pardon; he is German Emperor.] Is not German Emperor Emperor of Germany? I can only give in debate the best, the highest authority for my assertion. ["Name!"] *The Almanach de Gotha.* The description of King William given there is not the description of the Emperor "in" Germany. He is described therein as *premier Empereur d'Allemagne*, Roi de Prusse. So much, therefore, for the strong case which was given us by the hon. Member for Birmingham, to whom we always listen with so much interest; and he will excuse my criticism, because when a Member makes a successful speech, which is very much praised by his own side, it is a part of our own business to offer some arguments to counteract the injurious effect of so successful an effort. I trust the hon. Member for South Durham will not persist in his Amendment. I must oppose him, because, under any circumstances, I believe it is an invasion of one of the most constitutional Prerogatives of the Crown and one of the most useful, and the limitation of it which he recommends would be most injurious and embarrassing to the public service. At the same time, I most entirely sympathize and agree with the noble Lord in his anxiety to let the country thoroughly understand that Her Majesty in taking—if she is enabled to do so by the passing of this Bill—a very important political step, which, I believe, will have great and beneficial influence on the fortunes of her Eastern Empire, has no wish whatever to interfere with that established mode of governing her ancient kingdom under which we have always prospered. But I do not see that the mode—even if it had not the same great objection I pointed out against this Amendment—I do not see that the proposal which the noble Lord made of a Parliamentary record of our opinion would give any security whatever. It is of essentially a temporary character, and although I believe that all modes and methods which we might fix upon must upon such a matter be of a temporary nature, I look to Her Majesty's Royal Proclamation on the subject as the most befitting and the most likely to effect the proposed object. Although I cannot, of course, pledge myself to the words or composition of a Proclamation which the House has not yet permitted to appear, I look to the Proclamation as a more likely means of obtaining our object than any clause of an Act or any Resolution of Parliament. After all, Mr. Raikes, in these matters it is not Proclamations or Acts of Parliament we must trust to. We must trust to the spirit of the nation. We must trust to the spirit and the patriotism of the people. It is by that alone we can prevent the abuse of the Prerogative or the tyranny of Parliament. And if you find in this country any attempt, by Proclamation or by any other means, to effect an object different from that which is now maintained by both the great Parties in this House in regard to the Government of India, depend upon it that, better than any hasty Act we can pass now, will be the spirit of future Parliaments, which would prevent any acts of the kind that might be feared.

MR. GLADSTONE: I beg to tender my acknowledgments to the right hon. Gentleman for some very sound doctrines to which he has treated us in his last few sentences. I have not heard anything from him with so much satisfaction for several weeks past. The right hon. Gentleman speaks of the spirit of the English people as a great security for restraining the abuse of Prerogative and the errors of the Parliament. Well, I think we have seen some of the results of the spirit of the people. That, I think, has been well manifested even within the course of the last few days. I will refer very briefly to what the right hon. Gentleman has said, in so far as it is of general character. I am not able to agree with the right hon. Gentleman in his doctrine that, after all, the declaration of Parliament and of Ministers is much the same thing. I am not satisfied with his observation which he gives as a proof of the doctrine—although it is not far from the truth—that the average duration of the Government is not much shorter than the average duration of Parliament. There is this difference, in the first place, that the declarations of Ministers are not always correctly recorded, whilst there can be no doubt that those of Parliament are recorded in a manner which renders them the most difficult to assail or impair of any form of declaration known to the Constitution. I wish to reserve my judgment on the subject. I agree with my noble Friend near me, who hopes, as I hope, that some method may be found of indicating in the Bill we have now in our hands the intention with which it is passed. I am afraid it is useless to entertain any hope of dislodging from the capacious and fertile brain of the right hon. Gentleman opposite that extraordinary chimera that has so long dwelt there with reference to the Prerogative. He will have it that it is Prerogative which is to grow out of this Act. Well, if it is to grow out of the Act, how can it possibly be "Prerogative?" Is there a lawyer on the Treasury Bench, or anywhere else, who will say that the statutory powers which the Queen possesses belong to the Prerogatives of the Crown? I must dissent from the doctrine of the right hon. Gentleman, but I will come nearer to the practical points in this case. I think a more convenient opportunity may arise for entering into the questions which my right hon. Friend has raised with reference to the geographical scope of the term India. His appeal to me with regard to my acknowledgment of the King of Italy, is the most unfortunate that can be conceived. He said that I acknowledged the King of Italy, and that he had accepted that acknowledgment. Well, I was not aware that he had accepted it, but undoubtedly I did cordially acknowledge the King when he assumed the title, at which time he was not King of Venice or of Rome. But why did I acknowledge him, and why did the King of Italy assume that title when he did not possess Venice or Rome? Why, because he had declared to the Italian Parliament that Venice and Rome would form part of Italy. With regard to Pondicherry and the Portuguese possessions in India, if the ight hon. Gentleman's argument is good or anything, it is good to show that in assuming the title of Empress of India, we mean to signify to the possessors of hose limited portions of the Peninsula hat they are ours by right, and that we mean, as soon as we can, to make them part of India. That is the precise meaning of my right hon. Friend's argument. ["No, no!"] "No, no!"—you should have said that when my right hon. Friend spoke. You listened with great satisfaction when my right hon. Friend referred to me as having accepted the title of the King of Italy, and did not say, "No, no!" You say it now when I am merely telling you the sense in which I accepted the title, and the sense in which the right hon. Gentleman took it. We have been defeated by a large majority of this House in the objection which we took to the introduction of the title of Empress to the Sovereignty of this country, and also to the limitation of the title to a particular portion of the Queen's dominions, by declaration of Parliament. Upon a simple division we have submitted to the majority. Having done that, within the narrow limits that are left us, we wish to see whether it is possible to arrive at that sort of understanding which will reduce to a minimum the inconveniences which we apprehend will be likely to arise from the passing of this Bill. I must say that a part of the right hon. Gentleman's speech has given me the greatest misgivings. I refer to that part in which he speaks of the observations of the hon. Member for Christchurch (Sir Henry Drummond Wolff), because that speech was, without any dispute, an argument for the promiscuous use of these titles. I should have been much better satisfied if the right hon. Gentleman had expressly disclaimed that speech as to its general upshot, instead of assuming the position with regard to it which he did. It seems to me that the course is obvious—that, if the right hon. Gentleman wishes to give us such assurances as he can reasonably give without impairing the purpose he had in view, his course is obvious. I can understand, though I do not sympathize with his objection to such a Motion as that of my hon. Friend (Mr. Pease). The adoption of that, or a part of it, would, I hold, have been constitutional; but in lieu of it, can we not adopt a mode of proceeding which will be free on both sides from anything fatal and fundamental?—for instance, so slight a change as the word "local" before the word "addition" might be introduced. That addition would, in my opinion, be calculated to convey satisfaction and reasonable assurance, without the possibility of fettering the hands of the Government or causing any inconvenience to them. I would recommend the adoption of that change, because the right hon. Gentleman is perplexed by this phantom of statutory Prerogative, which haunts him by night and by day, robbing him of needful repose. The change will get over the difficulty. No one can possibly imagine that Prerogative would be in peril by the insertion of the word "local" in the Preamble of the Bill, as I have suggested. I make the suggestion because I think the word was first employed by the Chancellor of the Exchequer. I do not know where he used it, or whether it was a phrase authorized by the Government; but I think—and I am bound in candour to say that I think—the phrase was deliberately used, and that it has been adopted, and has received the seal and stamp of the approval of the Government in the course of this discussion. The insertion of such a phrase as that in the Preamble would not tie the hands of the Government in any proceeding they might wish to take; but it seems to me that it would give us that kind of moral assurance which is all that we can get, and it is a kind of consolation and guarantee which I think, under the circumstances, it is not unreasonable to ask. I believe that in making a suggestion of that kind I am acting in the spirit of the speech of the right hon. Gentleman himself; but I will tell him precisely how I understood the matter, in order that he may judge whether I am misinterpreting or rightly interpreting his views. In the first place, I have heard no disavowal up to the present moment of the doctrine of the hon. and learned Attorney General that, except with reference to the documents in which we contemplate dealing with India, no alteration is necessary in the Sign Manual of the Crown. That, next to the hereditary title, is the most important of all indications and forms under which the action of Majesty and Sovereignty is made known and takes effect. If I understand the right hon. Gentleman rightly, he has not objected to the substance of the view of my right hon. Friend, nor to the tone and purport of the speech of the noble Lord. He merely objects to the insertion of the term in the Bill. The right hon. Gentleman said he could not be bound to exclude the recital of the proposed Imperial title from every document not relating specifically to the business of India, and he referred to a solemn instrument, such as a treaty, wherein it is customary that all the titles of the Sovereign should be recited. But am I rightly interpreting that by saying that when he refers to those occasional instances, he refers to them as exceptions, and he means us to understand that only the local use of the word Empress in India and in documents relating to India is to be the general rule? If it be an understanding that that will be the general rule with reference to the employment of the title, that is a fact important and reassuring for us to know. I have heard the right hon. Gentleman refer, with satisfaction, to the Proclamation which will issue—and issue once for all according to the terms of the Act—which will have to be issued under the Act for the purpose of giving effect to these proceedings. The right hon. Gentleman stated that it appeared to him that such an instrument as that Proclamation would afford a vehicle for the formal expression of the views which he has laid before the Committee to-night. I think the fact one of great importance, and that by making that statement he has done all in his power to give to the declaration that sort of fixity and substance which it otherwise would not possess. I have tried in what I have said to place a reasonable construction upon the speech of the right hon. Gentleman, and I sincerely hope I have not been wide of the mark in the attempt.

Mr. SULLIVAN said, they often heard of the strange manner in which history was composed, but he was never more astonished at anything in his life than at the historical anecdote of the right hon. Gentleman the Member for Greenwich that night with respect to Italy. The right hon. Gentleman stated that when the King of Italy assumed that title, he (Mr. Gladstone) most readily and cordially—which he (Mr. Sullivan) fully believed—hailed him in that title, because in taking that title he avowed that he intended to take Rome and Venice. At the moment when the title was assumed by the King of Italy he was under a most solemn treaty obligation to respect Rome and Venice; and his Minister rose in the Italian Parliament and gave Europe a public pledge that His Majesty the King of Italy desired no more Italian territory. Therefore, when he went to Rome he went as a treaty breaker and an invader.

Mr. MONK said, the Prime Minister had on more than one occasion stated that reasons of State had induced the Government to bring forward this measure, but he had never informed the House what those reasons of State were. The right hon. Gentleman said that a Resolution of the House could not bind a future Parliament. True; but if the House placed on record its deliberate opinion, that would have due weight with future Parliaments. He therefore hoped his hon. Friend would persist in his Motion, for by so doing he would place on record the opinion of the present Parliament with respect to the assumption of any Imperial title in the British dominions.

Mr. PEASE said, that after listening to the remarks of the right hon. Gentleman opposite, he should feel that if he proceeded to a division, he should imply a want of trust, which he had no desire to imply. He had sat opposite the right hon. Gentleman for many years, but would be the last to doubt the word which had been pledged to them, and, therefore, with the permission of the Committee, he would withdraw the Amendment, reserving to himself the power on some future stage of the Bill to make a Motion in accordance with the suggestion made by the right hon. Gentleman the Member for Greenwich, or to support the Motion of which the noble Lord the Member for Haddingtonshire had given Notice.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Mr. SAMUELSON moved, as an Amendment, in page 2, after line 2, to insert the following clause:—

> "For the purposes of this Act, India shall have the same signification as in the Act for the better Government of India, passed in the twenty-first and twenty-second years of the reign of Her present Majesty."

Under the provisions of that Act India was governed in the name of Her Majesty, and he thought no doubt should be left as to what was intended. In India there were public writers and others who would like to excite suspicion in the minds of Native Princes, and there should be nothing in the Bill which would give them that opportunity. The treaties with the Native Princes of India occupied seven volumes, but he would only allude to the treaties with Holkar and Scindiah. Holkar was the nominee of the Indian Government, and he had to pay a fine on investiture to show his position towards that Government; whereas, since the Act passed, a treaty was concluded with Scindiah, by which an exchange of territories was effected, the full sovereignty of the contracting parties being asserted in so many words. They must be careful in passing an Act like this that there should not be the least suspicion that by a sidewind they were endeavouring to obtain for themselves in India anything which they did not by treaty possess at that moment. In these debates they had never spoken of the Indian Princes otherwise than as feudatories, but at the time of the Mutiny they were recognized as our faithful allies.

Amendment proposed, in page 2, after line 2, to insert the following clause:—

> "1. For the purposes of this Act, India shall have the same signification as in the Act for the better Government of India passed in the twenty-first and twenty-second years of the reign of Her present Majesty."—(*Mr. Samuelson.*)

Lord GEORGE HAMILTON thought that the hon. Gentleman was under some misconception in some of the statements he had made. He (Lord George Hamilton) contended that there was no substantial distinction between the position of Holkar and that of Scindiah, inasmuch as the lands which were transferred to the latter in full sovereignty were, in common with all the other lands held by the Princes of India under our rule, subject to certain rights reserved to ourselves. If the Act of 1858 were carefully read it would be seen that the present Amendment was unnecessary. By that Act two powers were transferred from the East India Company to Her Majesty. The first power so transferred was "the sovereignty over the dominions of the East India Company," and the second power so transferred was one over territories other than those actually in the possession of that Company, but which arose in respect of those territories. Inasmuch as the present Bill referred to the Act of 1858 for a definition of the term India, it was impossible that the word could bear a different interpretation in the present Bill from what it did in the previous Act. Right hon. Members opposite had disputed the existence of the paramount power of England over India, but he trusted that those heretical doctrines would not be heard of again in that House; and as it was essential to the successful government of India that those doctrines should not appear to have the least countenance from that House, he must on the part of the Government object to the clause of the hon. Member.

SIR WILLIAM HARCOURT said, he had understood the other evening from the Chancellor of the Exchequer that the Bill was not intended to make any change in the political *status* of Her Majesty in India, and therefore he thought that, as it was considered necessary in 1858 to define the meaning of the term India, so now, when it was proposed to alter the style of Her Majesty in reference to that country, a similar definition of the term should be introduced into this Bill. That was the object which he and the hon. Member for Banbury had in view, and which they desired to make clear. If the Government refused to adopt the same language in this Bill, the Princes of India would suspect that some alteration was meant. He, therefore, thought the best plan that could be adopted, in order to avoid ambiguity, would be in the present measure to adopt the definition which was used in the Act of 1858, in order to describe the area over which the rule of Her Majesty as Empress of India was to extend in the event of the Bill becoming law.

THE ATTORNEY GENERAL said, the Amendment, which came before the House in an apparently innocent garb, was really a very dangerous and insidious proposal, calculated to restrict the Act of 1858 and to make the present Bill mean something infinitely less than was meant by the former Act, which undoubtedly gave a definition. The hon. and learned Member for Oxford wished to substitute for the word India the phrase "the territories vested in Her Majesty by the Act of 1858;" but, as matter of fact, they were not now merely dealing with the geographical area called India, and the territories formerly vested in the East India Company and transferred to the Queen, for they had also to include all the rights, powers, and privileges which became vested in Her Majesty by means of the Act of 1858, and which were comprehensively known as the Government of India. At the time of the passing of the Act of 1858 there were vested in the East India Company not only certain territories then belonging to them, but the means of acquiring other territories by virtue of treaties which they had entered into; and all such powers were transferred to Her Majesty by the Act of 1858. It therefore seemed to him that by adopting the Amendment of the hon. Member for Banbury or the more artful and insidious proposal of the hon. and learned Member for Oxford, Parliament would be making a statutory declaration to the effect that the Act of 1858 meant and accomplished a great deal less than it did and was intended to accomplish. The right hon. Gentleman the Member for Greenwich had spoken of chimeras on the brain of the First Minister of the Crown; but the right hon. Gentleman himself possessed an extraordinary chimera on the subject of the operation of this Bill. He seemed to think that this innocent little Bill would transfer to Her Majesty power and dominion over the Princes of India which she never possessed before. There was no lawyer on the opposite side of the House—and the opposite benches bristled with them—who would advance such doctrines, and he (the Attorney General) did not think there was any foundation for it.

MR. GLADSTONE said, he must congratulate the hon. and learned Gentleman on his appearance in the arena. He (Mr. Gladstone) had been invoking his appearance all along, but until now without success. If he had done this earlier, and had had the goodness to make the declaration on a previous night which he had made that night, it would not only have saved him some trouble, but have saved him with charging his (Mr. Gladstone's) hon. and learned Friend (Sir William Harcourt) with proposing an insidious Amendment—it would have saved the Chancellor of the Exchequer from charging him (Mr. Gladstone) with dangerous and incendiary doctrine—it would have saved the noble Lord—who was so measured in all his language, the necessity of charging him (Mr. Gladstone) of heretical doctrine. He (Mr. Gladstone) had asked the question over and over again, and he had at last got an answer, and he was most thankful. The noble Lord had misread his (Mr. Gladstone's) speech on a former occasion, and had perhaps trusted to one of those useful gentlemen in public offices, who with a pair of scissors cut out two or three sentences from a speech which could be made to bear an unnatural interpretation. What the noble Lord quoted was interrogatory to the right hon. Gentleman at the head of the Government. [Lord GEORGE HAMILTON: Here it is.] He was glad that it was in the hands of the noble Lord, and trusted that he would follow him when he read it again, so that it would impress itself upon his youthful and intelligent mind. It contained no assertion whatever. His object and endeavour in putting the question was to obtain the information which had been vouchsafed to them that evening, and which they had received with so much satisfaction. What he now understood from the noble Lord and from the hon. and learned Gentleman the Attorney-General, who always addressed the House most frankly, was this, distinctly, that no political changes in the condition of the Princes of India would be effected by the Bill—that the transfer intended to be made was a transfer of that which was conferred upon Her Majesty by the Act of 1858—nothing more and nothing less. He was bound to say that a flaw in the Amendment which he had not perceived at first, had been pointed out by the hon. and learned Gentleman, and that it did not include everything that that was included in the Act of 1858. But on the subject of the charges of heretical doctrine which had been made by the noble Lord, he asked to be allowed to read the question which he had put during the debate on the second reading of the Bill. It was this:—

> "I ask whether the supremacy of certain important Native States in India ever was vested in the Company or whether it was not? We are bound to ask the right hon. Gentleman—and I think he is bound to answer the question through the medium of his best legal authorities—whether this supremacy is so vested or not, and whether he can assure us upon his responsibility that no political change in the condition of the Native Princes of India will be affected by this Bill."

That was the question which he put, and it was for putting it that he had been hailed upon with this shower of unsavoury epithets. By the time the noble Lord was half as old as he was, he would learn that it was not wise in matters on which a man had not sufficient information to make a positive assertion. He had put the question without information, and at last the answer had come. It would now, he hoped, be understood by the House and go forth that the rights to be exercised under the Bill and the title to be created were those rights which were given to the Crown in 1858, neither more nor less. The question which remained was as to the mode of proceeding, and he understood the hon. and learned Gentleman to say that in some way or other, which he for one did not profess to understand, the recital in the Bill was sufficient for the purpose. He hoped it would be so, but in an important Bill of this kind it was not right in point of draftsmanship, or he would say of statesmanship, to make a recital which was not strictly accurate. To make the Bill correspond with the speech of the hon. and learned Gentleman it would be necessary to give for the word "India" in the Preamble a construction from another Act of Parliament. If that were really so, he thought the best course would be to recite the words in the other Act of Parliament *in extenso.* To do that it would be necessary to recommit the Bill, a proceeding which need not delay the measure in its present stage, and on receiving an assurance to that effect the hon. Member for Banbury might withdraw the Amendment. If that were done, it would place the matter beyond the reach of doubt; but as it stood, the Bill was defective on the very point in which the Amendment was defective, speaking as it did of the transfer of certain territorial rights, and not of the other rights not strictly territorial, which were transferred by the Act of 1858. He trusted that this suggestion would be acted upon, and was glad to find that there was no intention of creating new rights on the part of the Crown towards the Native Princes of India, but that the pledges which were given in 1858 would be strictly observed. He did not think the hon. Member for Banbury should be charged with having made an insidious Motion, and he considered that all hard words of that kind should be avoided in discussing in Committee a measure of a practical character.

Mr. FORSYTH observed, that in the year 1861, when the Liberal Government were in office, an Act was passed in which the word "India" was used in precisely the same way, without any geographical definition, as it appeared in the present Bill. It should be remembered that no foreign territory could be affected by an Act of Parliament.

Mr. SAMUELSON said, he had obtained the object he had in view by moving his Amendment. After the statements of the right hon. Gentleman the Prime Minister and the hon. and learned Attorney General all the objections to the principle of the Amendment had vanished into thin air. He, therefore, would withdraw his Amendment in favour of that of the hon. and learned Member for Oxford, for which he would vote if it was pressed to a division.

Amendment, by leave, *withdrawn.*

Sir WILLIAM HARCOURT moved, as an Amendment, in page 1, line 18, to leave out from "Government of" to "should become," in line 19, and insert—

> "The territories in the possession of or under the Government of the East India Company, and all rights vested in or which might have been exercised by the said Company in relation to any territories."

He could not understand what the hon. and learned Gentleman the Attorney General meant by saying that this was insidious. He (Sir William Harcourt) merely followed the Act of 1858.

Amendment proposed,

> In page 1, line 18, leave out from "Government of" to "should become," in line 19, and insert "the territories in the possession of or under the Government of the East India Company, and all rights vested in or which might have been exercised by the said Company in relation to any territories."—(*Sir William Harcourt.*)

The CHANCELLOR of the EXCHEQUER said, this appeared to him more a question of drafting than anything else. The words in the Bill appeared to him to be sufficient, and he did not think they ought to be changed. If they adopted the Amendment of the hon. and learned Gentleman they would be throwing doubt upon a great many Acts which had been passed since 1858, and in which there was no long recital. There was at one time an impression that there was going to be something conveyed secretly and unavowedly which was not given to Her Majesty by the Act of 1858. If the Amendment was intended to neutralize any statement of that kind, he would consider it important. As it was, however, there was nothing more in calling Her Majesty Empress of "India" than there was in speaking of the Secretary of State for India.

Sir GEORGE CAMPBELL agreed that the Amendment was unobjectionable so far as it went. He wished, however, to point out that, in view of the great changes which had occurred, one main objection to the Amendment was the inconvenience it might occasion by giving rise to a possible misconstruction on the part of the Native Princes of India if the reciting portion of the Act of 1858 were to be re-enacted; because, in truth, our relations with them had been greatly changed since 1858. The adoption Sunnuds of 1859 contained a distinct assertion of the supremacy of the Crown, which the Princes accepted, and those other important engagements of a later date.

Sir WILLIAM HARCOURT thought, on the contrary, that the re-enactment of that portion of the Act of 1858 would prevent misconception. As he believed it was desirable that the Amendment should be adopted, he should not withdraw it, although he should not put the Committee to the trouble of dividing upon it.

Amendment *negatived.*

Preamble read a second time, and *agreed to.*

House *resumed.*

Bill *reported,* without Amendment; to be read the third time upon *Thursday.*

SUPPLY—COMMITTEE.

SUPPLY — SUPPLEMENTARY ESTIMATES, CIVIL SERVICES AND REVENUE DEPARTMENTS, 1875-6.

Supply—*considered* in Committee.

(In the Committee.)

Class III.

(1.) £5,250, Law Charges.

(2.) £3,200, Ashantee Expedition (Vote of Credit, 1875-6).

CLASS III.

(3.) £5,000, Criminal Prosecutions.

(4.) £60,752, County and Borough Police.

MR. FAWCETT complained that so large a sum should be taken out of the Imperial Exchequer to pay for the police of the counties and boroughs of England and Wales that ought to have been supported out of the local rates.

MR. ASSHETON CROSS said, that mayors and magistrates of boroughs and counties increased the number of police within their respective districts without his knowledge, and, in point of fact, he really had no control in the matter. Under these circumstances, he purposed introducing a Bill to prevent the Treasury being called upon in any year for larger grants than were provided for in the original estimates sent in by the local authorities.

Vote *agreed to.*

(5.) £800, Convict Establishments.

(6.) £376, Registry of Deeds, Ireland.

(7.) £369, Dundrum Criminal Lunatic Asylum.

CLASS V.

(8.) £14,800, Diplomatic Services.

(9.) £500, Grants in Aid of Expenditure in certain Colonies.

(10.) £3,000, Tonnage Bounties, &c. and Liberated African Department.

CLASS VI.

(11.) £5,000, Superannuations and Retired Allowances.

CLASS VII.

(12.) £9,330, Ashantee Expedition, Gratuities and Prize Pay.

(13.) £6,249, Mediterranean Extension Telegraph Company.

MR. FAWCETT asked for an explanation of the Vote.

MR. BECKETT - DENISON asked, whether it was likely to be a recurring annual charge, and if the Government had any control over the expenditure.

MR. W. H. SMITH, in reply, said, that the payment was made in pursuance of a guarantee—which was given in 1857, and would expire on the 1st of December, 1882—to supplement the revenue of the company, so as to enable them to pay a dividend of 6 per cent upon their capital, which amounted to £120,000. The Government had a representative at the Board of the Company; but he was unable to say whether he had any effectual control over the expenditure of the concern.

Vote *agreed to.*

(14.) Motion made, and Question proposed,

"That a sum, not exceeding £8,192, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1876, for the repayment of certain Miscellaneous Advances to the Civil Contingencies Fund."

MR. MONK said, the second item in the Vote was £923 1*s.* 6*d.* for the equipage of the Lord Chancellor of Ireland. He wished to know whether this was a usual charge, but in any case he thought it was excessive. Then there was an item of £1,500 for the services of the British agent in connection with the Washington claims, as to which he should wish to have some explanation. The last item to which he wished to direct attention was compensation to Mr. M'Carthy, and payment of his medical and other expenses. It seemed that Mr. M'Carthy had received some injury at the Tipperary election, and he thought the county of Tipperary ought to be called upon to compensate him.

SIR WILLIAM FRASER called attention to the items of £8 to supply some default of the Consular officer at Odessa, 18*s.* for repairing the club of the late Sovereign of Fiji, presented to the Queen, and an extraordinary item for "animals washed ashore; burying the corpses of."

MR. SHAW LEFEVRE said, he did not think the Government should be made responsible for money deposited with our Consuls, and mentioned a sum which the Government had paid for Mr. Granville Murray, and a sum of £825 expenses of the Paris Geographical Congress.

MR. W. H. SMITH said, that it had always been customary to provide for the equipage of the Lord Chancellor of Ireland. It had also always been the custom when our Consuls received money in their official capacity that the Government should make good any losses sustained by the default of those officers. With regard to the sum awarded to Mr. Howard in connection with the Washington claims, that gentleman had been engaged in the winding up of a very long and difficult task, which he had discharged with great ability, and he was fully entitled to the sum which it was now proposed to give him. As to the charge in connection with the Tipperary election, the fact was that Mr. M'Carthy was acting on the occasion in discharge of his duty as a magistrate, and the election being rather more lively than usual, he lost an eye and sustained other injuries, and the Government had decided to pay the expenses of his doctor and give him a small gratuity.

Mr. GOLDSMID expressed his opinion that successful candidates at their elections were liable to pay for damage incurred, or, failing them, the boroughs or the counties they contested.

Mr. BECKETT - DENISON denied the existence of any such liability on the part of candidates.

Mr. GOLDSMID did not see why the constituency should be charged with the damage done in an Irish row. In England the hundred was charged when damage was done by riot, and he saw no reason why the law should not be the same in Ireland.

Mr. O'REILLY assured the hon. Gentleman that he was mistaken; the law was the same on the question in Ireland as in England.

Captain NOLAN wished to call attention to the payment to Mr. Ganly for delivering up the registers of the diocese of Ferns, which he had purchased at an auction of unclaimed goods from the Great Southern and Western Railway Company of Ireland. He should like to know how those important documents were left as unclaimed goods in the stores of the company? He understood that the documents were lost through the carelessness of the officers of the Commission in misdirecting the papers and then never inquiring after them. He should move to reduce the Vote by the sum of £125, which he thought ought to be paid by the Church Temporalities Commissioners, as the incident arose from their unsatisfactory mode of conducting business.

Motion made, and Question proposed,

"That a sum, not exceeding £8,067, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1876, for the repayment of certain Miscellaneous Advances to the Civil Contingencies Fund."—(*Captain Nolan.*)

Mr. BRUEN explained that a box with the valuable papers in question was sent to the Commissioners, who selected some and returned the others. The box was unfortunately endorsed "hardware." And when it reached Kilkenny it was taken to all the hardware merchants in the place. None of them claimed it, and it went back to the Great Southern and Western Railway Station at Dublin, and was eventually sold as "unclaimed goods."

Mr. SULLIVAN said, the matter had been much talked about in Ireland, and it was looked upon as a beautiful exemplification of the way in which the Irish Church Temporalities Commissioners did their business.

Sir MICHAEL HICKS - BEACH accepted the explanation of the hon. Member for Carlow, but said there was no error in sending the box, except its being accidentally labelled as "hardware." The miscarriage was the fault of officers in the service of the Government, and in that way the charge came upon the Votes.

Mr. O'SHAUGHNESSY suggested that the Church Temporalities Commissioners were doing their best to get rid of any surplus there might be in their Department; and if the Vote was not passed that surplus would be reduced still further. He, therefore, advised the withdrawal of the Motion.

Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

(15.) £6,500, Inland Revenue.

(16.) £9,000, Post Office Packet Service.

(17.) £500,000, Charges defrayed by the War Office on account of India.

Mr. W. H. SMITH explained that the sum had been paid by the War Office to colonels of regiments serving in India, and that an equivalent amount had been paid by the Indian Establishment to the Treasury, who had treated it as part of the revenue of the year, instead of handing it over to the War Office. Under these circumstances, it was thought right to adjust the accounts between the two Departments by bringing forward the Vote, instead of there being so large a suspense account carried on.

GENERAL SIR GEORGE BALFOUR admitted that the question was purely one of book-keeping, but added that he thought they ought to have all the accounts before them. The delays in settling these transactions were open to the gravest objection. The Select Committee of 1874, on which he had served never anticipated that so long a time would elapse in bringing the affairs to a settlement. But so far from the Arbitrator, who was selected to aid in deciding fairly between the two Governments on the disputed accounts, he had, if reports could be credited, actually intensified the difficulties by adopting the views of one side, hostile to India. All that he could say was, that so long as India allowed English Administrators to transact the business of India in their own way, without that proper check which should invariably exist, then India must expect to pay dearly for neglecting those ordinary precautions which sensible men in all other affairs of life so properly take.

MR. BECKETT-DENISON wished to know whether there was any likelihood of the arbitration in reference to the two Departments coming to an end?

MR. W. H. SMITH had every reason to think that the decision of the arbitrators would be acted upon.

Vote *agreed to.*

(18.) £238,255 4*s.* 6*d.*, Navy Excess of Expenditure, 1874-5.

MR. SHAW LEFEVRE asked some explanation of the large excess. The late Government, during the last two years it was in office, was not responsible for any increase of expenditure over the Estimates.

MR. HUNT said, he must repeat the explanation he gave on the subject when he introduced the Navy Estimates, that the excess had been kept from the knowledge of the First Lord owing to the cumbrous state of the present system of accounting, but that he had decided to try and remedy such a thing for the future by making a change in the Accountant General's office. As to the excess of £238,000, it chiefly arose on the Store Vote. The Government had to carry out larger operations in the Dockyards than were contemplated by their Predecessors. He had, however, hoped that the surpluses on some Votes would suffice to meet the deficit on others; but to his surprise during the last few weeks of the financial year, when it was too late to take a Supplementary Estimate, he discovered that there was a large deficit on the aggregate Vote. He hoped that arrangements which he had made would prevent the necessity of asking in future for large Supplementary Votes for the Navy.

MR. GOSCHEN trusted that the anomaly referred to would not occur again. He should like to know when the Navy Estimates would come on again?

MR. HUNT said, he was unable to name a day, but he understood that the House would be asked to give precedence to the Committee on the Merchant Shipping Bill.

Vote *agreed to.*

(19.) £3,718 18*s.* 11*d.*, Grenwich Hospital and School, Excess of Expenditure.

House *resumed.*

Resolutions to be reported *To-morrow;* Committee to sit again upon *Wednesday.*

PETITION OF MR. CHARLES HENWOOD.

RESOLUTION.

COLONEL BERESFORD, in moving that the Petition of Mr. Charles Henwood [presented 16th February] be printed with the Votes, said, he had not taken charge of the matter without receiving from Mr. Henwood an assurance that he could substantiate the allegations contained in the Petition. Mr. Henwood placed in his hands an Admiralty Paper and other documents which had satisfied him (Colonel Beresford) that he would be able to prove his case before the Committee of the House, for which he (Colonel Beresford) intended to ask. As to the reception of the Petition, the opinion of counsel had been taken, and he would remind the House of a statement made some years ago by the late Viscount Palmerston, to the effect that charges amounting to libel ought not to be held a good reason for refusing to receive a Petition. The present Prime Minister had also expressed a similar opinion. The hon. and gallant Member concluded by moving the Resolution.

Captain PIM seconded the Motion.

Motion made, and Question proposed,

"That the Petition of Mr. Charles Henwood [presented 16th February] be printed with the Votes."—(*Colonel Beresford.*)

Mr. E. J. REED said, the Petition was the continuation of an attack upon himself and others extending over 10 years, during which time his character had been dragged through every description of mire. The real facts of the case were these. A design was sent into the Admiralty for a ship with a 3½-feet freeboard, the *Captain* having been lost with a 6½-feet freeboard. The Controller of the Navy himself, and his assistant, now a high officer of the Admiralty, investigated the design, and found the information accompanying it as to weights delusive. They corrected these weights upon official information; and that was the only ground for any insinuation that there had been falsification of documents. The same individual sent in another design with 4-feet 3½-inches of freeboard, and if they had constructed a ship of the kind it would have led to a great catastrophe. The result was, that he had simply, in the interests of the public, rejected the designs placed before him, and personally he would be glad if the House would undertake an investigation of the case, so that once and for ever he might disprove the atrocious calumnies which had been levelled against him. He must speak a word of remonstrance against the course pursued by the hon. Member for Southwark. He had always understood that it was the practice of this House when one hon. Member assailed the character of another he should give that hon. Member private Notice of his intention to do so. No Notice, however, had ever been given to him by the hon. and gallant Member for Southwark of his intention to bring forward the question. This Petition was so libellous that no newspaper would publish it; and he hoped that if the House printed the Petition, it would follow up that step by appointing a Committee to investigate the matter.

Mr. HUNT said, when this matter was first brought before the House he moved that the Petition be discharged on the ground that the petitioner had his remedy if he were aggrieved by an action in a court of law, and that not having adopted that course the House ought not to be made the medium of circulating his charges against public servants. He understood, however, that now the hon. and gallant Member for Southwark said that he held in his hands proofs of the allegations set forth in the Petition. He also understood that the hon. and gallant Member vouched for the accuracy of the statements in the Petition, and was prepared to prove them. [Colonel Beresford: I do.] Under those circumstances he would not make the Motion he did the other night, but would leave the matter in the hands of the House.

Mr. GOLDSMID complained of the amount of "lobbying" which Mr. Henwood and his Friends had carried on in connection with the matter, and would move, as an Amendment, that the Order that the Petition lie on the Table be discharged.

Mr. DODDS seconded the Amendment.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the Order that the Petition do lie upon the Table be read, and discharged,"—(*Mr. Goldsmid,*)

—instead thereof.

Colonel BERESFORD hoped the House would do justice to a man who had been half ruined. He would have sought redress in a court of law, but the fact that his design had been altered did not come to Mr. Henwood's knowledge until he was debarred by the Statute of Limitations from taking action. He had documents in his hand which showed that Mr. Henwood's plans were over-weighted.

Mr. SULLIVAN maintained the right of public petition, but reprobated an attempt to entrap the public Press into the publication of a libel.

Lord FREDERICK CAVENDISH urged the Government to express a more decided opinion on the question whether the Petition ought to be printed or not.

The CHANCELLOR of the EXCHEQUER said, he had taken no part in what occurred the other night, neither had he seen the Petition; but after the explanation which had been given he certainly thought they ought to support the Amendment and discharge the Order for printing it. While the right to petition ought not to be limited, care should be taken that Petitions should not be allowed to be made the instruments for libelling honourable men. If the hon. and gallant Member for Southwark was still unsatisfied he could bring the whole subject before the House upon a distinct Motion.

Question, "That the words proposed to be left out stand part of the Question," put, and *negatived.*

Words *added.*

Main Question, as amended, put, and *agreed to.*

Ordered, That the Order that the Petition do lie upon the Table be read, and discharged.

WAYS AND MEANS.

Considered in Committee.

(In the Committee.)

1. *Resolved,* That, towards making good the Supply granted to Her Majesty for the service of the years ending the 31st day of March 1875 and 1876, the sum of £1,029,550 5*s.* 1*d.* be granted out of the Consolidated Fund of the United Kingdom.

2. *Resolved,* That, towards making good the Supply granted to Her Majesty for the service of the year ending on the 31st day of March 1877, the sum of £9,000,000 be granted out of the Consolidated Fund of the United Kingdom.

Resolutions to be reported *To-morrow;*
Committee to sit again upon *Wednesday.*

House adjourned at half after One o'clock.

* * *

HOUSE OF LORDS,

Tuesday, 21st March, 1876.

MINUTES.] — PUBLIC BILLS — *Committee* — Patents for Inventions* (15); Council of India (Professional Appointments) (28).
Committee—Report—Telegraphs (Money)* (29).

COUNCIL OF INDIA (PROFESSIONAL APPOINTMENTS) BILL—(No. 28.)

(*The Marquess of Salisbury.*)

COMMITTEE.

House in Committee (according to Order).

THE MARQUESS OF SALISBURY said, that as he had already intimated, he thought there was much to be said in favour of the suggestion of the noble Duke (the Duke of Argyll), that the three Members of the Council who were to be appointed under this Bill should not hold their offices "during the pleasure of Her Majesty." On the other hand, he did not think there was any sufficient ground for limiting the number of years during which the persons to be appointed might hold the office. When the Council was created in 1858 it was enacted that all the Members should hold office "during good behaviour." It was found, however, that in the case of the Councillors appointed on the ground of Indian experience, the value of that experience diminished with the length of subsequent residence in this country; and in 1869 the noble Duke (the Duke of Argyll) introduced the provision limiting the term of office on the Council of India to 15 years. But there was a minority of the Council composed of Members appointed not on the ground of Indian experience, but on that of professional qualification, and there was no reason why the value of professional qualifications should diminish in the way that of Indian experience did, or why the same principle should not be applied to the additional Members of Council as was applied in the case of County Court Judges and other judicial officers who were appointed during good behaviour. The professional qualifications were generally legal qualifications. He proposed to introduce a change in the Bill by striking out the words "during Her Majesty's pleasure," the effect of which would be that the three Councillors to be appointed under it would hold office "during good behaviour," as was the case with the Councillors appointed under the Act of 1858.

Amendment *moved,* to leave out "during the pleasure of Her Majesty," and insert "during good behaviour."

THE DUKE OF ARGYLL, while admitting the difference which the noble Marquess had pointed out between the Members appointed on the ground of Indian experience and those appointed on the ground of professional qualifications, was still disposed to think that, as a rule, the Members ought not to hold the office after 15 years. To the old Indians the work was easy and highly interesting; and as the salary was £1,200, while their retiring pension was only £500, some of them hung on to the last. He believed that if the pension bore a larger proportion to the salary, Members would be found more willing to retire. He thought the noble Marquess would scarcely hold that there was no interval after which the professional qualifications of a lawyer became less valuable. If not, it would not be desirable that even the legal Members of the Council should hold on too long. On the second reading, the noble Marquess expressed himself as personally desirous that a pension for their services on the Council should be secured to all the Members. As the expenses of the Council of India were paid not out of English, but out of Indian money, and as the home charges of the Government of India were often thrown in our face, it might not, perhaps, be desirable to go too far in the way of liberality—even though, as a matter of fact, there was no ground for the charge of extravagance to which he had just referred; but he thought the question of raising the amount of the pension might be considered. This, however, was a matter which he was willing to leave to the noble Marquess.

The Marquess of SALISBURY concurred with the noble Duke (the Duke of Argyll) as to what he had said about the home charges. In "another place" his noble Friend the Under Secretary of State for India had shown that those charges were less now than in the days of the East India Directors. As to the longevity of lawyers, he did not think age diminished much their usefulness or vigour of intellect. For example, there was still on the Council one who had been appointed under the old system—he alluded to Sir Erskine Perry, and no one could say that time had in any way diminished his qualifications. There was force in what the noble Duke had said about Members holding on too long; but, on the whole, it was better to run that chance than the chance of losing a good man by a provision making retirement obligatory at the end of 15 years.

Amendment made, accordingly.

The Report of the Amendment to be received on *Thursday* next.

The Duke of Argyll

UNIVERSITY OF OXFORD BILL.

OBSERVATIONS. QUESTION.

The Earl of AIRLIE said, that he had been informed by what he considered good authority that a Report upon the Oxford University Bill had been made by a Committee of the Hebdomadal Council, and he was very desirous that before they discussed this question further, the Report should be placed upon the Table of the House. The Hebdomadal Council had always been consulted in all matters that affected the Colleges, and he thought if they were considered in regard to this Bill, it would be desirable that their Lordships should have before them any expression of opinion that that Council might make before they proceeded with any legislation on the University; and it was still more desirable in the present instance, because the Bill proposed to deal with the funds of the Colleges. He would, therefore, ask the Secretary of State for India, Whether it is the fact that the Hebdomadal Council of the University of Oxford have appointed a Committee to examine and report on the Oxford University Bill; and, if so, whether he will place himself in communication with the Hebdomadal Council, with the view of laying their Report on the Table of this House?

The Marquess of SALISBURY said, there was no objection whatever to the production of any Resolution of the Hebdomadal Council; but he understood that to-day the Bill had been laid before the meeting of the Convocation for their opinion, and no doubt the Resolution itself would also be laid before the Convocation. They, therefore, proposed to wait until he had the opinion of the Convocation, either reported itself to the House by Petition, or by communication to him. At all events, it would be laid before Parliament.

The Earl of AIRLIE asked the noble Marquess whether he expected that the Resolution would reach their Lordships before the Bill was in Committee.

The Marquess of SALISBURY replied that he did.

House adjourned at a quarter before
Six o'clock, to Thursday next,
half-past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, 21st March, 1876.

MINUTES.] — Select Committee — Metropolitan Fire Brigade, *appointed;* Ecclesiastical Dilapidations Acts, *appointed.*

Supply — *considered in Committee—Resolutions* [March 20] *reported.*

Ways and Means—*considered in Committee—Resolutions* [March 20] *reported.*

Public Bills — *Ordered* — *First Reading* — Consolidated Fund (£10,029,550 5*s.* 1*d.*) *

First Reading—Appellate Jurisdiction * [111]; Crossed Cheques * [112].

Second Reading — Crab and Lobster Fisheries (Norfolk) * [109].

Select Committee—Burghs and Populous Places (Scotland) Gas Supply * [5], *nominated.*

Committee — Open Spaces (Metropolitan District) * [86] [No Report].

Considered as amended—Sea Insurances (Stamping of Policies) * [93].

Third Reading—Drainage and Improvement of Lands (Ireland) Provisional Orders (No. 2) * [99], and *passed.*

PARLIAMENTARY ELECTIONS ACT, 1868—BOSTON ELECTION.

QUESTIONS.

Mr. J. R. YORKE asked Mr. Attorney General, Whether his attention has been called to the Report of the Boston Election Commission, in which the following names are scheduled as those of persons "guilty of bribery in respect of the votes of other persons," namely, John Maltby, Thomas Houghton Bailey, Benjamin Bissell Dyce, John Faulkner, and Thomas Wright; whether John Maltby therein mentioned is the person of that name who now is Mayor of Boston; and, whether the other four persons so scheduled are the same whose names now appear on the corporation of Boston; and, if so, what course does he intend to take with regard to those persons?

The ATTORNEY GENERAL, in reply, said, the Report of the Commission had not been laid before him officially, but his attention had been drawn to it, and he found that the names of the persons mentioned were in the Report scheduled as having been guilty of bribery. He did not absolutely know as a fact, but he had reason to believe, that one of the persons mentioned, John Maltby, was now Mayor of Boston, and he had reason to believe further that the other four persons mentioned were members of the corporation. He was not at present in a position to say whether sufficient evidence could be obtained against those persons to warrant a prosecution for bribery; but if he found, on further investigation, that it could, he should deem it to be his duty to bring the matter under the attention of the Government, and advise that a prosecution should be instituted.

Mr. INGRAM asked Mr. Attorney General, Whether the persons scheduled as guilty of bribery by the Boston Commissioners are not exempted by Clause 45, Act 31 and 32 Vic. c. 125, from all penalties and disqualifications incurred by such act of bribery, they having received no notice of the charge of bribery as required by the above-named Clause?

The ATTORNEY GENERAL, in reply, said, that, in his opinion, the persons scheduled as guilty of bribery by the Commission were not exempted by the 45th clause of the Act referred to from the penalties and disqualifications incurred by such act of bribery, although they were not, he believed, at present labouring under those penalties and disqualifications, because, as he understood, they had not been found guilty of bribery on any proceeding after notice of the charge; but probably if the case were heard they might be found guilty of such a proceeding, and then the penalty of disqualification would attach to them.

METROPOLITAN IMPROVEMENTS MODELS.—QUESTION.

Lord ELCHO asked the Secretary to the Treasury, Whether he can state what has become of the large model of the Westminster district of London and the Thames Embankment, which was executed by order of the Treasury, at a cost of £500, during Mr. Layard's tenure of the office of Her Majesty's First Commissioner of Works, with a view to exhibiting upon it, for public information, models of any public buildings which might from time to time be in contemplation?

Mr. W. H. SMITH, in reply, said, it was now exhibited at South Kensington Museum, in the galleries immediately to the south of the Horticultural Gardens, together with other models of a similar character.

SUEZ CANAL SHARES.—THE LOANS ACT.—QUESTION.

MR. EVELYN ASHLEY asked Mr. Chancellor of the Exchequer, Whether the Bank of England would have been prohibited by the Loans Act of William and Mary, or by any other Act, from purchasing the Suez Canal Shares, and holding them for the Government, as was done by the firm of Messrs. N. M. Rothschild and Co.?

THE CHANCELLOR OF THE EXCHEQUER, in reply, said, he was not aware that the Bank of England would have been prohibited by an Act of Parliament from purchasing the Suez Canal shares. He was informed, however, that there was a clause in their Charter which prohibited them from trading, and that, in the opinion of their legal adviser, they would have been restrained by that clause from purchasing the shares in question.

POST OFFICE—POSTAGE TO INDIA.
QUESTION.

MR. LEITH asked the Postmaster General, Whether it is the intention of Her Majesty's Government to reduce the rates of postage to India; and, if so, what other rates are intended to be substituted in respect of letters, newspapers, and book postage; and, when the reductions will come into operation?

LORD JOHN MANNERS, in reply, said, that India having been admitted into the Postal Union, it was intended to reduce the rates to India, as follows:—Any letter *viâ* Southampton, from 9*d.* to 6*d.*; *viâ* Brindisi, from 1*s.* to 8*d.*; any newspaper *viâ* Brindisi, from 3*d.* to 2*d.*; book packets by the same route from 4*d.* to 3*d.* up to 2 ounces. Those reductions would come into operation on the 1st of July next.

CHANNEL ISLANDS—BAILIFF OF THE ROYAL COURT, JERSEY.—QUESTION.

MR. LOCKE asked the Secretary of State for the Home Department, Whether the Bailiff of the Royal Court of Jersey has appointed a Sheriff, notwithstanding the Report of the Commissioners that such appointment should not be filled up; and, whether the Government will take steps to prevent the said Sheriff from performing duties which properly pertain to an officer belonging by the Crown?

MR. ASSHETON CROSS, in reply, said, he was not at all aware of the appointment referred to by his hon. and learned Friend, but he would make inquiries. Indeed, he had already written to the Lieutenant Governor of Jersey on the subject, and he hoped in a short time to ascertain the real state of the case, when he would be happy to communicate with the hon. and learned Gentleman.

MARRIAGE WITH A DECEASED WIFE'S SISTER.—QUESTION.

SIR THOMAS CHAMBERS asked the Under Secretary of State for the Colonies, Whether he has any objection to lay upon the Table of the House, the Correspondence between the Colonial Office and Sir T. Chambers on the subject of the Colonial Acts recently sanctioned by the Imperial Government legalizing Marriage with a Deceased Wife's Sister?

MR. J. LOWTHER, in reply, said, there was no objection to produce the Correspondence if the hon. Gentleman would move for it as an unopposed Return.

METROPOLITAN STREET TRAFFIC—HYDE PARK.—QUESTION.

SIR H. DRUMMOND WOLFF (for Mr. PLUNKETT) asked the First Commissioner of Works, Whether he will consider the expediency of allowing cabs to go through the Park from Hyde Park Corner to Stanhope Gate, during the continuance of the present obstruction of Piccadilly between Park Lane and Grosvenor Place?

MR. W. H. SMITH (for Lord HENRY LENNOX), in reply, said, that Hyde Park was under the control, not of the First Commissioner of Works, but of the Ranger, and he was not yet prepared to say what course would be taken in the matter.

BANKS OF ISSUE—THE COMMITTEE.
QUESTION.

MR. ANDERSON asked Mr. Chancellor of the Exchequer, When he proposes to move the reappointment of the Committee on Banks of Issue; and, whether the Committee of last Session, in reporting a recommendation for their reappointment, in any way recommended the exclusion of further evidence, as lately stated by him ?

THE CHANCELLOR OF THE EXCHEQUER, in reply, said, that the Government had not yet come to any decision as to recommending the re-appointment of the Committee on Banks of Issue. With regard to the latter part of the Question, he did not think he had stated that the Committee had recommended the exclusion of further evidence. What the Committee reported was that they had examined a considerable number of witnesses, and had presented a Report of the Minutes of Evidence taken to this House; but they had not had time to prepare a Report during the Session, and consequently they recommended that they should be allowed to sit again this Session. He understood that the Committee recommended their re-appointment, not for the purpose of taking evidence, but for the purpose of considering their Report, and he had stated this in answer to a Question the other day.

METROPOLITAN FIRE BRIGADE.

MOTION FOR A SELECT COMMITTEE.

MR. RITCHIE, in rising to move that a Select Committee be appointed to inquire into the constitution, efficiency, emoluments, and finances of the Metropolitan Fire Brigade, observed, that the subject to which his Motion related was one of considerable interest and importance to the metropolis, and he should proceed now to state the grounds upon which he had ventured to direct the attention of the House to it. He did not bring his Motion forward in any hostile spirit to the Metropolitan Board of Works, which was the most important body of its kind in the Kingdom, and which certainly attended with great care to the numerous and important duties entrusted to it; at the same time, he would have to criticise adversely the management of the Metropolitan Fire Brigade. He would also have to call attention to some complaints which the men of the Metropolitan Fire Brigade had to urge with regard to their position. No one who had witnessed a great conflagration in the metropolis could have failed to witness the great bravery displayed by the men of the Brigade in the execution of their dangerous labours. Still, it was an important question whether the conditions under which they performed their duties were the best calculated to secure the thorough efficiency of the body. The point to which he wished particularly to direct attention was whether the Brigade was efficient in numerical strength, and he had done everything in his power to obtain correct information on that head. He should have much liked to have an interview on this subject with Captain Shaw; but his application for one was refused, no doubt for weighty reasons. Formerly the charge of protecting property in the metropolis from fire was undertaken by the London Fire Insurance Offices, which in 1862 first began to remonstrate against the arduous and onerous duties thus imposed upon them, and it was considered that such duties ought not to be allowed to devolve upon any private company. In that year and later considerable correspondence passed between them and the Home Office as to what should be done in the event of their giving up the charge of the Brigade. In 1862 a Committee appointed to investigate the matter recommended that a new Brigade should be formed under the Metropolitan Police Force, and be co-extensive with the metropolitan area, and it was further recommended that the existing staff should be utilized. In 1865 the Home Secretary requested Captain Shaw, the able head of the Brigade, to supply him with an estimate of what would be a proper and efficient Brigade. It should be borne in mind that the area which the old Brigade had under its charge covered only 10 square miles. The area covered by the Metropolitan Board was 120 square miles. Captain Shaw made out a careful estimate, in which he said that, taking into account the then condition of the metropolis in regard to population, area, and buildings, he considered that one Chief and 574 officers and men, at a cost of £70,000, would be an efficient force for the protection of property valued at £900,000,000 from the ravages of fire. The estimate thus stated by Captain Shaw was confirmed by evidence taken before the Committee; but it seemed to have greatly alarmed the Home Office, and the Secretary of State stated that if the annual cost could not be reduced to something like £50,000, he was afraid the whole affair must fall to the ground, Captain Shaw thereupon framed another estimate, which provided for 416 officers and men at a cost of £52,000. But the Home Office stuck even at that, and said they had asked for an estimate for £50,000. Captain Shaw accordingly sent in a third estimate, providing for 350 officers and men, at a cost of £50,000. Although he was by no means prepared to admit that the cutting down of the estimate was for the interest of the metropolitan ratepayers, yet he was prepared to base his remarks on Captain Shaw's last estimate for 350 officers and men at £50,000. That estimate was prepared by Captain Shaw with a due regard to the state of things existing at that time, and he expressed his opinion that the Brigade ought to be expanded when expansion became necessary. In 1865 the population within the metropolitan area was 3,000,000; in 1876 it was 3,500,000, or rather 4,000,000, as he was reminded by an hon. Member near him. There was thus an increase of 17 per cent. The number of houses had also increased in the same proportion. In 1865 their number was 383,856, and in 1876 it was 450,000. The Home Office declined to let the Brigade be under the metropolitan police, though the late Sir Richard Mayne was strongly in favour of that course, and they had evidence that it was an economical one. A Bill was brought in transferring to the Metropolitan Board the duty of protecting life and property from fire. That Bill provided that the money should be raised in three ways; first, by a rate of a halfpenny in the pound; secondly, by a contribution of £10,000 from the Government; and thirdly, by a contribution of £35 for every £1,000,000 insured by the Fire Offices. Of course, the Metropolitan Board desired to take over the men who had worked so efficiently under the old system. Captain Shaw said there would be no difficulty about that, and that the only matter on which the officers and men desired information before joining the new force was the subject of superannuation, including the mode in which it was proposed to provide for the widows of men killed while on duty. A Committee of the Metropolitan Board, appointed to consider this matter, reported that, in the event of a man being killed while in the discharge of his duty, his widow should receive an annuity, to be continued during the pleasure of the Board; and with regard to the superannuation fund, they reported that it ought to be continued, the men of all classes paying at the rate of 6*d*. per week. The Board approved the resolutions of the Committee. Under these circumstances, the men expressed themselves satisfied and came over to the new Brigade. Now, what was the present force of the Fire Brigade, and how did it compare with the lowest estimate made by Captain Shaw? In 1875, the number of firemen of all ranks available for duty was 395. Captain Shaw's minimum was 350, but at that time the fire-escapes were in charge of a charitable organization. Since then—in 1867—the Metropolitan Board had taken over the fire-escapes, of which there were 106, each requiring one man. Deducting 106 from 395, there was left an available force of only 289, or 61 fewer than Captain Shaw's minimum—equal to a decrease of 20 per cent. though the population and houses within the district of the Board had increased 17 per cent. But the 395 men were only nominally available. Deducting men who were sick and on leave, the number actually available for night duty was only 164, to attend to an area of 120 square miles. The stations were certainly more numerous, but the number of men available was not greater now than it was under the old system. The London Fire Brigade had 90 men available at night, and at the parish stations there were 85, making 175. Meanwhile, the number of fires had increased from 1,338 to 1,559, or 17 per cent, the population and houses having increased in the same ratio. The 164 men were thus disposed:—35 in the Western district, 53 in the Central, 42 in the Southern, and 34 in the Eastern district. But the Chief of the Salvage Corps stated to the Committee on this subject that there were more fires in the East of London than in all the other districts put together, but there were positively fewer men available in that district than in any other. The risks there were certainly much greater. Yet in his own borough, the Tower Hamlets, containing all the docks and warehouses, and with a population of 400,000, only 20 men were available at night. The result was that the stations there were sometimes denuded of men. At Bow station there were five men, of whom two had to go out with fire-escapes and one had to remain on duty at the station to attend to the telegraphing and keep up communication with other stations. Thus only two men were available in case of fire, and that only if neither was unwell; and on a recent occasion it became necessary to take away every available man and close the station altogether. At Holborn, again, there were nine men, with three escapes; and as three of the men had been unwell, only two out of the nine had been available at night for fire duty during the last two months. It was hardly possible for the Brigade in this attenuated form to cope with even one large fire; but if two large fires occurred at the same time, it would be impossible to cope with them as they ought to be. When the City Flour Mill was burnt, 196 men were engaged. At Rimmel's fire there were 121, leaving about 40 or 50 men available for all the rest of London. At the Pantechnicon 120 men were engaged, and at the same time 177 were required at other fires and for other duty. With so heavy a responsibility resting upon him, it was natural that Captain Shaw should make some remonstrance. He had done so more than once. In 1872 he gave an estimate of the number of men who were required for the protection of London. His estimate was 931 men, at a cost of £120,000. Surely, if the Metropolitan Board had thought this an excessive estimate, they might have adopted a more moderate one. This, however, they had not done. It was interesting to compare the number of men employed in London with the number employed for the protection of some Continental towns. It was true that on the Continent these men were engaged to some extent in other duties; but the comparison was still a startling one, for in Hamburg 1,000 men were thus employed, in Paris 1,572, and in St. Petersburg 1,164. One consequence of the small number of men here was that the men themselves were greatly overworked. One man had been worked 10 successive nights. To be engaged for three days and nights in succession was no uncommon thing. One letter he had received stated that the writer had been on duty for 39½ hours at one time; another man said he had been off duty only seven hours out of 78. Many Bills had been brought into that House at different times to shorten the hours of labour, and if the present state of things was to go on it would be necessary to introduce a Bill to shorten the hours of duty of the Fire Brigade. Not only was the present arrangement injurious to the public interest, but it entailed an enormous amount of sickness in the men themselves. There had been 339 cases of illness during the last year, four terminating in death, so that almost every man in the Fire Brigade had been compelled to come under the doctor's hands. It might be said that the men undertook those duties knowing their liability to sickness, but looked at the prospect of superannuation, and in the event of their being killed that under an Act of Parliament and a resolution of the Board their families would be provided for. But the Metropolitan Board had done absolutely nothing in the way of providing any superannuation or pension scheme. In 1875, after the men had incessantly asked for a pension scheme, one was taken in hand, but so thoroughly inadequate was it that it was at once rejected by them. A Petition on the subject was presented to the Board in February, 1874, but the Board was not prepared with a scheme, and since then several men had broken down or had left without a pension. It was true a plan had been submitted to the men which provided superannuation, but only out of funds contributed by themselves. The men would not accept that, though, as far as he knew, they did not want the Board to find the money altogether. They would be willing to contribute a portion, and they would be delighted if some arrangement should be made for them similar to that which had been established for that excellently managed body the Salvage Corps. He did not want to do any injustice to the Metropolitan Board for what they had done in the way of superannuations, pensions, and awards, but he wished to call attention to three or four cases which had occurred. Charles Liddle, after a service of seven years and six months, died from consumption, to which the men were peculiarly liable from the wettings to which they were exposed, and all that was given to his family was £5. Joseph Parker, after serving 30 years and 10 months, was discharged from ill-health, and provided for with the miserable dole of 14*s.* a-week. George Ray suffered amputation of a leg from an injury received in the discharge of his duty, and received £10, showing the value placed upon a leg by the Metropolitan Board of Works. To the family of another, who had died from injuries received in the execution of his duty, the Board gave £29 16*s*. There were other cases in which the Board awards varied from £20 to four guineas. But whatever the amount given in each particular case, it would tend very much to the efficiency of the service if it were given according to some regular and not merely arbitrary method. That was what the Board had undertaken to do, and what they had never yet done. His hon. and gallant Friend would no doubt tell him that the Board had the subject now under their consideration; but it had been under their consideration a long time, and this Motion might have had something to do with it. Another question ought to be considered—were the men content to remain in the service of the Board under the existing state of things? He believed that already 637 had voluntarily left the Brigade, and no fewer than eight had gone away during the last month. He calculated the cost of training each man at £100, so that here was an absolute loss of something like £63,700. He was told that the Board had the greatest difficulty in keeping up the establishment, and that for some time the number of men was considerably below the proper strength, although they had raised the age of admission from 25 to 30 years. They were now obliged to advertize in *The Morning Advertiser* for men, when, according to Mr. Phillips, chairman of the Fire Brigade Committee, there used to be as many as 1,000 sailors on the list seeking for employment; but that list had disappeared. Under the old system there was quite a competition to get into the Brigade, as was still the case with the Salvage Corps. The question was how this state of things should be remedied. As regarded the men, there ought to be a proper scheme of pensions and a proper superannuation fund, as in the case of the Metropolitan Police and the London Salvage Corps. Then there should be an increase in the number of men. The extra duties laid on the men in 1867 should be taken off, a separate body of men under the same administration having the sole charge of fire-escapes by night, and who should not be required to do station duty by day. If the staff were increased by 106 men for the fire-escapes on the understanding that they should not be required for other duty, the strain would not be so great upon the men, and life and property in London would be more secure. Another point came out very strongly in the Committee of 1867—the defective water supply. The greatest importance attached to water being immediately available when a fire broke out. Captain Shaw's Report stated that there had been 32 cases in London last year in which the water arrangements were unsatisfactory. One great reason was that the turncock was often not to be found when wanted. The Water Companies had made an offer to pay the cost of housing a turncock at each Fire Brigade Station to procure water; but no notice had been taken of that offer by the Metropolitan Board. Even if the fire-plug could be found, it was often difficult to turn the water on; the water arrangements were complicated and required the presence of a turncock. About two years ago there was a fire at the house of Mr. Murrieta, at Kensington, at which there was a great destruction of valuable pictures. The engines were early in arrival, but had to wait three-quarters of an hour before the turncock arrived to turn on the water. In another case, in Bishopsgate Street, close to the fire station, the engines waited 20 minutes before the turncock could be found. Another question which might well occupy the attention of the Committee was the imperfect character of the telegraphic communication. There ought to be telegraphic communication between all police stations and all fire stations. This would tend very much to diminish the number of serious fires, and to extinguish them before they reached any great height. At present, if a fire occurred at Stratford, the policeman who discovered it would telegraph it to his district station, wherever that might be; the district station would telegraph to Scotland Yard, Scotland Yard would telegraph to Watling Street, and Watling Street to Bow, which was about a mile from the fire, and the firemen at Bow would go to the fire. Another point to be inquired into was the amount of money spent on the Fire Brigade. In 1867, Captain Shaw estimated the cost at £50,000; and allowing £10,000 more for increase of wages and the additional men, it brought it up to £60,000; but the real sum spent last year was £75,000, an increase of £15,000 a-year over the estimate. He had now to thank the House for the kind indulgence they had extended to him, and he begged to move the appointment of the Committee.

Mr. BOORD seconded the Motion.

Motion made, and Question proposed,

"That a Select Committee be appointed to inquire into the constitution, efficiency, emoluments, and finances of the Metropolitan Fire Brigade."—(*Mr. Ritchie.*)

Sir JAMES HOGG said, he hoped the House would kindly accord to him the same indulgence which had been extended to his hon. Friend the Member for the Tower Hamlets. His hon. Friend had brought a long and terrible indictment against the management of the Fire Brigade under the Metropolitan Board of Works. He felt sure that his aim was the same as that of the Metropolitan Board—that the Fire Brigade should be kept up in a state of efficiency, to secure, as far as possible, life and property from danger by fire. The inquiry which his hon. Friend desired had reference to "the constitution, efficiency, emoluments, and finances" of the Fire Brigade. With regard to the constitution of the Fire Brigade, no doubt the House was aware that it was constituted by the Act of 1865, which transferred the Brigade from the Insurance Companies to the Metropolitan Board. It now consisted of 396 officers and men, who were most carefully selected and trained for the work. They were distributed into four districts and 49 stations. There were four river stations with powerful floating engines, and 106 Fire Escape stations about half a mile apart only. Prior to 1866 the Insurance Companies undertook this duty, and they had only 17 stations, which were principally situated in the centre of the metropolis, where the most valuable property was. Comparing 1866 with 1876, he would show what was the condition of the Fire Brigade 10 years ago and at present. In 1866 there were only 130 officers and men; now there were 396. In 1866 there were only 17 engine stations; now there were 49. There were in 1866 only two river stations (floats); now there were four. In 1866 there were nine steam engines (land); now there were 26. Formerly there were 27 manual engines; now there were 85. The fire-escapes in 1866 numbered 85; now they numbered 132. It was therefore clear that there had been a considerable advance under each head. With regard to efficiency, it must be admitted that it was not in the power of any Fire Brigade to prevent fires; all they could do practically was to extinguish them. The reports of Captain Shaw showed that there was a great diminution in the number of serious fires. Of a total of 1,338 in 1866, 326, or 25 per cent, were serious, and 1,012, or 75 per cent, were slight. In 1871, of a total of 1,842 fires, 207, or 11 per cent, were serious, and 1,635, or 89 per cent, were slight. In 1875, of 1,529 fires, 163, or 11 per cent, were serious, and 1,366, or 89 per cent, were slight. As to the manner in which the officers and men discharged their duties, they carried their lives in their hands, and that they never shrank from incurring personal danger was shown by the occurrence of 64 casualties in 1875. Of 109 persons whose lives had been placed in jeopardy, 80 had been rescued, and of the 29 who lost their lives most were persons whose clothes caught fire in the house. Here, in passing, he must express his strong objection to the proposal of the hon. Gentleman to separate the escape men from the Fire Brigade. It was much better to have all the men trained sufficiently for every service they could possibly be employed in. With regard to the question of pay, that of the chief officer was first £500, then £750, and now £1,000; the four superintendents received altogether—first £480, then £730, and now £800. The 13 first-class engineers cost—first £1,267, then £1,438, and now 30 cost £3,822; the weekly pay having been raised from 37*s.* 6*d.* to 42*s.*, and then to 49*s.* There were now 30 second-class engineers at 42*s.*, 60 first-class firemen at 35*s.*, 60 second-class firemen at 31*s.* 6*d.*, 100 third-class firemen at 28*s.*, and 112 fourth-class firemen at 24*s.* 6*d.* The increase in wages from £11,871 in 1866 to £33,686 in 1876 was certainly not an inconsiderable one. There was now, as in the old Fire Brigade, a fireman's savings' fund; each man had 6*d.* a week stopped on his pay, and if he chose to leave the force the amount that had been stopped was returned to him. There was no system of pensions; each case was dealt with on its merits; and a case had occurred in which a young man, who had been two or three years in the service, had been injured for life and had been awarded a pension of 10*s.* a week. In the only case of a man who had left a widow, before the Board had time to act a sum of about £2,000 was subscribed for the widow, who was then practically placed in as good a position as she occupied during her husband's lifetime; and, under the circumstances, it did not seem to the Board that they were called upon to make any further allowance. As to the strength of the Brigade, it consisted of four superintendents, 30 first-class engineers, 30 second-class engineers, 60 first-class firemen, 60 second-class firemen, 100 third-class firemen, and 112 fourth-class firemen; and that force had been found sufficient to cope with any conflagration. He had offered his hon. Friend that if he would put on paper any information he wished for his requirements should be submitted to the Fire Brigade Committee; and he did not think that an hon. Member who was about to bring such a question before the House of Commons ought to ask for a private interview with an officer. He believed the stations were very fairly distributed over the whole metropolis, though, of course, they were closer together in dense neighbourhoods, while an admirable telegraph system facilitated concentration in the suburbs. The time allowed for the men and engines to turn out was, generally speaking, only about three minutes, and on the occurrence of great fires there were never any complaints that men and engines did not arrive in good time. A man might have been on duty 10 successive nights, just as he himself had been on duty in the Army continuously for 15 days running; but in a fire-escape sentry-box a man could rest comfortably until he was aroused by an alarm of fire. Another strong point made by the hon. Member was that more engines, more men, and more stations were wanted; but they could not get more men without more pay; and it was impossible with a halfpenny rate—which was all the Metropolitan Board was allowed to levy—to do more than they had done. The income of the Brigade applicable to working expenses in 1875 was as follows:—Government contribution, £10,000; Insurance Companies' contributions, £18,093; the halfpenny rate, £43,514, making a total of £71,607. His hon. Friend had alluded to Captain Shaw's estimate for the cost of the Brigade in 1864, which was £70,000 per annum for a larger force than was now maintained, and, as he said, on a less efficient basis. A great increase had, however, since occurred in prices, and Captain Shaw's estimate did not include the present cost of saving life from fire, which was about £12,000. Captain Shaw estimated the cost of coal at £1,500 per annum, while the estimate for coal in 1876 was £3,300. The telegraphs were estimated by him at £500 per annum, while the present cost was £1,450. The horse-hire considerably exceeded his estimate, and the total increase in these items and in wages in 1876, as compared with 1864, was between £17,000 and £18,000. There was one important question alluded to by the hon. Member to which he must refer—that was the question of the water supply. At present it would be impossible for him to do full justice to the subject. It was one of the most important character, and one which had engaged the attention of the Metropolitan Board of Works for a very long time. Hydrants, constant supply, and other such points had been under careful consideration, and, with the view of seeing what could be done in the metropolis, a committee was sent down to Manchester and Liverpool to make inquiry. The result was the conclusion was arrived at that under the existing system of water supply in London it would be perfectly impossible to make use of the hydrant system. The engineer of the Board had examined all the districts of the metropolis by day and night, and made a most careful inspection of the water supply. That examination satisfied the Board that, both as regarded constant supply and pressure, in hardly any instance would hydrants be of any use in extinguishing fires. The great drawback was the intermittent nature of the supply. Possibly enough in some districts a sufficiency of pressure could be obtained to carry the water up to the second or third storey, but it would only last for a few moments, and success could not be looked for under such circumstances. Another matter alluded to by the hon. Gentleman was that the water companies had offered to supply the Metropolitan Board with turncocks, to be stationed at the Fire Brigade stations. But the Board had not accepted the offer, partly because the stations were too small to give accommodation to the turncocks, and partly because each man of the Brigade had keys and could turn the water on. The difficulty was in not knowing what particular main to turn on, because the pressure might be "on" in one district and not in another. It had been said that at several great fires no water could be had, and the fire at Mr. Murrieta's, in Kensington Gardens, had been mentioned. That such a want of water ever occurred was news to him; but, as a general rule, when these complaints came to be investigated the case turned out to be not so bad as was represented. With regard to the constitution and efficiency of the Fire Brigade, the Metropolitan Board of Works had nothing to hide, and if the Government and the House should think an inquiry by a Committee desirable, he, for one, should enter upon such an inquiry with the desire on the part of the Metropolitan Board of Works to give every possible information and facility to the Committee.

SIR WILLIAM FRASER hoped the House would consent to the appointment of the Committee. He did not think the hon. and gallant Member for Truro had made out any case in opposition to the proposal. The simple fact that for the whole metropolis of 4,000,000 inhabitants there were only 395 firemen, including those who, from sickness and other causes, were unable to do their duty, itself demanded inquiry. No victorious army ever earned the thanks of this House more hardly than the London Fire Brigade. A French general once said—"The English Infantry is the finest in the world; fortunately there are very few of them!" The Metropolitan Fire Brigade in like manner could not be surpassed in any civilized community, and it was only to be regretted that there were so very few of them. His own belief was that the appointment of the Committee would do a great deal of good. He would suggest that, in addition to the subjects mentioned in the Motion, the Committee ought to be asked to take evidence on the subject of fraudulent fires and fraudulent insurances. If not, a Special Committee must before long be appointed to consider this matter. The House had heard a good deal about fraudulent insurance on ships; a great deal of fire insurance gambling on houses went on in London. In every case of a suspicious fire there should be an inquiry before a Coroner or some other officer. The system of fire insurance gave rise to a great deal of fraud, and he trusted that this subject would be dealt with by the Committee.

MR. BOORD said, that when he seconded the Motion it did not appear to him that he could add anything to the exceedingly lucid statement that had been made by the hon. Member for the Tower Hamlets (Mr. Ritchie), but since he thought that part of what had fallen from the Chairman of the Board of Works might have created a wrong impression, he would venture to offer a few remarks by way of criticism. His hon. and gallant Friend (Sir James Hogg) was there to defend the Board over which he presided, and by faithfully following the brief which had no doubt been placed in his hands, he had apparently succeeded to his own satisfaction in proving that that Board was the embodiment of administrative virtue. His hon. Friend's (Mr. Ritchie's) statement might be divided broadly into two parts. First he alleged the inadequacy of the Metropolitan Fire Brigade as at present constituted; and, secondly, he stated the causes of its insufficiency. Now, his hon. and gallant Friend had denied the first part, and had taken no notice of the second. What the House wanted to know was why, in London, there should be only 395 firemen to a population of 3,500,000 persons, whilst in Hamburg, with a population one-twentieth of the size, there were two-and-a-half times as many men? Paris, with half the population, had four times the number, and St. Petersburg, with one-sixth, had three times the number of men. His hon. and gallant Friend had not thought it worth his while to explain how it could be satisfactory that a station in an important situation should be left with only two men in charge, or even in some instances entirely shut up when those two men were required to attend a fire; nor did he seem to admit that there was any discontent in the ranks of the Brigade. He (Mr. Boord) held in his hand the copy of a letter which had been addressed to the Chairman of the Fire Brigade Committee by a man who had left the service. The writer of that letter stated that it had been his intention to remain in the Brigade for the best part of his life if there had been the slightest prospect of provision in old age and infirmity. He said that promotion was too slow for a man with any energy and zeal. That arose from the want of a system of superannuation which would enable men to rise without waiting for the death of their seniors. He further complained of the continual strain of duty, both mental and physical. He had gone out four consecutive nights in the depth of winter on escape duty for 13 hours at a time, and, strange to say, he did not seem to find the bed in the sentry box so luxurious as the hon. and gallant Gentleman had represented it to be. [Sir JAMES HOGG: I never said anything of the sort.] Well, at any rate, the opinion of the writer of the letter he was quoting from seemed to differ very materially from the opinion of the hon. and gallant Gentleman. The writer further stated that the four consecutive nights out were not allowed to interfere with the regular routine of day duty in the station and at fires, and he concluded by saying that until some alteration was made the Brigade would be a mere school for firemen, and none would remain that were worth keeping. The hon. and gallant Member had referred to a pension that had recently been given, in proof of the liberality of the Board; but he had omitted to state that that pension had only been granted since the present Motion appeared on the Order Book of the House, and from a Return of the Metropolitan Board of Works which he held in his hand, he (Mr. Boord) was able to inform the House that that was only the third pension awarded by the Board during the whole time they had had the control of the Brigade. The statement of his hon. Friend had conclusively proved the inadequacy of the Brigade as it now existed. The men were short in numbers and overworked, and the Board had entirely failed to carry out their promise to establish a system of superannuation. All the protests and appeals made by the men in regard to the pension question had been bandied about like shuttlecocks, between the Board and its Committees, and nothing was done in the way of a remedy—yet the House was asked to believe that the management of the Board was perfection itself. The inhabitants of the metropolis had a right to have their lives and property protected from the peril of fire; but after a sufficiently long trial it did not seem that that duty was in competent hands. A Royal Commission had reported in 1862 in favour of what they called a Police Fire Brigade, and although he had no desire to add to the troubles of his right hon. Friend below him (the Secretary of State for the Home Department) he sincerely trusted that that recommendation would be well considered by the Committee, which he hoped the House was about to grant, in order that the Brigade might be conducted in a more satisfactory manner than had been found possible under what was in reality little more than a sort of enlarged Vestry.

MR. M'LAGAN said, that if the Government granted the Committee it ought to take evidence on several matters not embraced in the Resolution. One was that of fraudulent fires, already alluded to. Another was, whether the insurance companies should continue to be taxed for the Fire Brigade. He objected to that system, for it practically made those who insured their property pay for those who did not insure. As regarded the deficiency of the water supply he could bear out what the hon. Member for the Tower Hamlets (Mr. Ritchie) had said. The subject was brought very prominently before the Committee of 1867, but nothing in the way of improvement had yet been done by the Board of Works, although he understood the water companies had expressed their willingness to do something. The matter was one of great importance, because there was no doubt a good deal of property was destroyed by fire every year in consequence of the supply of water being short. It was but right to point out, however, that there were at present more men in the Fire Brigade in proportion to the population than there were in 1861, and that they had now proportionately less work to do than then. Under these circumstances, it was, perhaps, worth while to consider whether the efficiency of the Fire Brigade could not be improved by a re-distribution of stations rather than by increasing the number of men. If a portion of the Brigade could always be promptly on the spot where they were wanted, many fires that now became destructive might be arrested in their first stage, and incendiarism in that case would have less chance of escaping detection than at present. In view of these different considerations, he thought it desirable that a Committee should be appointed.

Mr. ASSHETON CROSS said, he did not rise to enter into any dispute between the Metropolitan Board of Works and the metropolitan Members, nor would he say a single word as to the management of the Fire Brigade. No doubt the Board had done a great deal; but he did not say that they might not have done a great deal more. It ought, however, to be borne in mind that the Board was limited by its rate, and that it had not unlimited funds at its disposal. If the House looked at the balance-sheet of last year it would be seen that the Board had spent more than its actual income on the Brigade. In passing, he desired to say a word of very great praise on behalf of the Brigade itself. He did not believe that here or anywhere else existed a body of men so efficient to perform the arduous and dangerous duties which they were called upon—monthly, weekly, almost nightly—to discharge. He wished publicly to bear testimony to the spirit which animated every one connected with the corps, from the gentleman who commanded it—than whom there could be no person more competent for his office—down to the very lowest member of the Brigade. They acted with an energy, zeal, and *esprit de corps* which was almost unknown in any other country. Considering the great strain put upon them night after night for it might be a week or two together — because fires often occurred in masses at a particular time—their position ought to be made such as would satisfy reasonable men. He was bound to say, after having looked very carefully into the matter, that their position at present was not of that character. A great number of the men resigned their places in the force to go into other situations—a fact which might fairly be taken as a proof that they were not now offered such advantages as they ought to have. Moreover, their position as compared with that of the Metropolitan and City Police was inferior to the position of that somewhat analagous force. He did not think that ought to be so, and the time had come when the House should have an inquiry made into the whole matter. He had long been of opinion that, in spite of the efficiency of that gallant corps, the condition of London in regard to fires was not satisfactory. They had not all the means and the appliances that were necessary for the safety of life and property against fires. The first thing they wanted for extinguishing a fire was water, and he thought the supply of water in London for that purpose was quite inadequate. Even where there might be plenty of water it could not be got at. It was said the turncock was often away, and that was true; but frequently when the cock was turned the fireman did not know in the least whether he would find water there or not, or what pressure of water he would find; and, therefore, it was essential that the energy and zeal of the Fire Brigade should be seconded by all the appliances requisite for putting out the fire the moment it began. Probably some more men might be required, but he did not think that so many would be necessary as the hon. Member for the Tower Hamlets had shadowed out; because in that as in other matters he believed they might, by improved management, have economy of men as well as of money, and thus avoid the necessity of a very large addition to the force. The question as to fraudulent fires should also be dealt with by the Committee which he hoped the House would appoint. Without in the least casting any reflection on the Metropolitan Board of Works, he thought the proposed inquiry ought to extend into the subject of fraudulent fires; and, the better to secure that object, he would move the addition to the Resolution of the words, "and to inquire into the most efficient means of providing further security against the loss of life and property by fire in the Metropolis."

Mr. RITCHIE said, he readily accepted the addition made to his Motion by the Home Secretary.

Amendment proposed,

To add, at the end of the Question, the words "and into the most efficient means of providing further security from loss of life and property by fire in the metropolis."—(*Mr. Assheton Cross.*)

Question, "That those words be there added," put, and *agreed to.*

Main Question, as amended, put.

Ordered, That a Select Committee be appointed to inquire into the constitution, efficiency, emoluments, and finances of the Metropolitan Fire Brigade, and into the most efficient means of providing further security from loss of life and property by fire in the metropolis.

And, on March 31, Committee *nominated* as follows:—Sir Henry Selwin-Ibbetson, Mr. Stevenson, Mr. M'Lagan, Mr. Clifton, Mr. Kinnaird, Sir Henry Peek, Sir Andrew Lusk, Lord Lindsay, Mr. Herbert, Mr. Fielden, The Marquess of Tavistock, Mr. Onslow, Mr. Hayter, Mr. Forsyth, Mr. Hankey, Sir William Fraser, Mr. Young, Mr. Locke, Mr. John Stewart Hardy, Sir James Hogg, and Mr. Ritchie:—Power to send for persons, papers, and records; Five to be the quorum.

ECCLESIASTICAL DILAPIDATIONS ACTS, 1871 AND 1872.

MOTION FOR A SELECT COMMITTEE.

Mr. GOLDNEY, in rising to call the attention of the House to the unfair and exceptional working of the Ecclesiastical Dilapidations Acts, 1871 and 1872; and to move for a Select Committee to inquire into the operation of the Acts, said, he did not ask the House to grant any peculiar privileges, but simply wished to obtain relief for a large body of men who had been subjected to serious grievances by this legislation, which had been very oppressive to the parochial clergy not only in regard to the fees which they were obliged to pay, but in being deprived of all right in the appointment of the valuer who was to assess the the amount for dilapidations which they were either to pay or receive. Previous to the year 1871 the temporal matters of the clergy could generally be dealt with in the Common Law Courts; but the statute then passed gave to the Bishop of each diocese exclusive and absolute power over these matters, and without his sanction no one could appoint surveyors for ascertaining whether there were dilapidations in the parsonage or not. This was required to be done in some cases every three or four years; but in all cases when a vacancy occurred the surveyor had an entire right to invade the parsonage, to examine all the property, and could make an order for repairs to be done to what extent and within what time he chose to name without hearing or allowing the parson to say one word. Unless an appeal was made within a month the report of the surveyor became absolute against the incumbent; and under the penalty of sequestration the incumbent must pay the requisite sum of money in a limited period to the Governors of Queen Anne's Bounty. But if he did appeal, in 99 cases out of 100 he would have to bear the expense of a second survey. Until he could obtain the surveyor's certificate he was unable to recover the amount he had deposited, under the provisions of the Act, with the Commissioners of Queen Anne's Bounty, in whose hands a sum of £110,000, the money of the parochial clergy, was now lying beyond the amount expended. They could gain no benefit from it, and that greatly aggravated the case, because the money had often to be found at short notice. He was informed that the amount of fees under the Act would amount annually, unless an alteration could be made, to £34,000 a-year. There was in every county in England a strong feeling against the operation of the Acts. Meetings had been held in Norfolk, Shropshire, Yorkshire, Somersetshire, and indeed in most counties and dioceses; and since he placed this Notice on the Paper he had received an enormous number of complaints, illustrating the exacting nature of the law, and the oppressive action of some surveyors towards the unfortunate clergymen. In one case which had come under his notice, a clergyman, with an income of £100 a-year, was required to become responsible for dilapidations to the extent of £1,000, the sum required amounting to 10 years' income. Could anything be more monstrous? In another case the surveyor sent in a bill for four guineas, though he reported that there were no dilapidations, and the Bishop's secretary also sent in his bill for registering the surveyor's report. In another, where the living was only £96 per annum, the official surveyor reported that £127 should be expended in repairs. An unofficial but very able surveyor was asked to give his opinion on the matter, and he said that at the utmost an expenditure of only £50 17*s*. 6*d*. would be sufficient. Complaint being made of the report of the official surveyor, the Bishop sent another surveyor, who put the amount at £160. In another case an east window had been blocked for 172 years, and a reredos had been erected; but it was now proposed by the surveyor that the east window should be opened, to which the assent of the Bishop had been obtained, and a change was to be made at the sole cost of a new incumbent who was wholly innocent in what had been assented to by a succession of generations. When this Act passed the boon was held out that the Governors of Queen Anne's Bounty would make advances in certain cases towards the alteration of buildings; but the Governors said they could do nothing until inquiry had been instituted, and until a number of queries had been answered, and the value of the living afforded a good security. Under the operation of the Act of 1871 clergymen had found themselves placed, so far as their temporal benefices were concerned, under the control of men of whom they knew nothing, and in whose appointment they had no voice, and who exercised their powerin an arbitrary and sometimes in an oppressive way. He now asked in their name that the House would grant a Committee to inquire into their grievances on this point and to ascertain whether or not this important class of Her Majesty's subjects, who were not too wealthy, and who did their duty, were being treated with injustice. In conclusion, he begged to move for the appointment of the Select Committee.

MR. MONK said, that as he was the Member who had charge of the Act of 1871 while passing through that House he would make a few observations. He did not understand that there was any objection to the principle of the Act, but only to some of its provisions and the way in which they were carried out by the surveyors. The Bill was referred to a Select Committee during the last Parliament—one of the strongest ever appointed in that House—which included the names of Mr. Gladstone, Mr. Bouverie, Sir George Grey, Mr. Assheton Cross, Lord John Manners, Mr. W. H. Smith, Mr. Gathorne Hardy, and Mr. Russell Gurney. A main object of the Bill was to save the families of deceased incumbents from being called on to pay for the dilapidations of ecclesiastical edifices. The principle of the Bill was that during the life of the incumbent the benefice house should be kept in a good state of repair. Another Act was passed in 1873 enabling the Archbishops, the Lord Chancellor, and others to frame a table of fees; but, strange as it might seem, that had not yet been done, and through that neglect he believed that the evils of which the hon. Member had complained had arisen. He thought the hon. Member had made out a clear case for the appointment of a Committee, and he hoped the Government would assent to the Motion which had been submitted to the House.

MR. ASSHETON CROSS said, the Act undoubtedly was intended for the relief of the clergy, to enable them during their lifetime to take care that those who were left after them should not be called upon suddenly, and at a time when they were least able to bear it, to pay heavy sums of money. He was bound to say that it had been overweighted in many of its provisions, and the machinery by which that good intention was proposed to be carried out had practically broken down in many respects. He had received representations from many parts of the country showing the grievous hardships which had fallen upon clergymen under the provisions of this Act as it stood. He thought there were many of its provisions which might, after due consideration, be made very beneficial; but he thought it would be a hardship upon the clergy to allow the Act to remain in its present state. They had made out a very fair case, and he felt that the Government ought not to resist the appointment of this Committee. It had been too much the practice to create fees, and then it usually happened that they had to create officers to consume them. There could be no doubt that to work the Act in its present state would entail a very heavy cost; and he hoped the Committee to be appointed would be able to make the Act work better, so as to give that relief which it was originally intended to give.

Motion *agreed to.*

Select Committee *appointed,* "to inquire into the operation of the Ecclesiastical Dilapidations Acts of 1871 and 1872."—(*Mr. Goldney.*)

And, on March 27, Committee *nominated* as follows:—Mr. WALTER, Mr. BIRLEY, Lord GEORGE CAVENDISH, Mr. DODDS, Mr. FORESTER, Mr. FRESHFIELD, Mr. GREGORY, Mr. BERESFORD HOPE, Mr. KNATCHBULL-HUGESSEN, Mr. MONK, Mr. COWPER-TEMPLE, Mr. WAIT, Mr. FREDERICK WALPOLE, Sir SYDNEY WATERLOW, and Mr. GOLDNEY:—Power to send for persons, papers, and records; Five to be the quorum.

PERU—CREW OF THE STEAMSHIP "TALISMAN."

MOTION FOR A SELECT COMMITTEE.

Dr. CAMERON, in rising to call attention to the seizure of the British Steamship "Talisman" by the Peruvian Government; to her employment by that Government in their national service several months before her condemnation by any prize court; to the impressment of eighteen British subjects composing her crew on board Peruvian war-ships in active service; to the subsequent imprisonment of these men without trial for upwards of a year, and the continued detention in prison of three officers of the ship without trial upwards of fifteen months after their capture; and to move for the appointment of a Select Committee to inquire into the whole circumstances of the case, said: Sir, I this morning received a piece of tragic intelligence, which considerably modifies the nature of my task to-night. I shall no longer have occasion to call the attention of this House to the continued detention in prison without trial, though 17 months have elapsed since their capture, of three officers of the *Talisman.* For I learn that a telegram was yesterday received at the Foreign Office announcing that one of these unfortunate men—Mr. Sibley, the mate—had been murdered by a fellow prisoner, doubtless one of the native convicts with whom he has been so long confined. Since I have moved in this matter I have been in frequent communication with Sibley's wife—now a widow, and with his father, now bereft of a son—and I must say that the information which I this morning received gave me a severe shock, and made me thankful from the bottom of my heart that nothing in my power had been left undone—no labour spared—to obtain his release from what I shall show to have been an illegal confinement in a foul den, condemned by the Peruvians themselves as unfit for occupation as a prison, among that band of the vilest ruffians in Peru—convicted murderers and robbers—who have now imbrued their hands in his blood. Sir, in calling attention to the *Talisman* case, I most distinctly disavow all idea of wishing to interfere with the freedom of administration of law in any Sovereign State. If, according to the law of Peru, it were a capital offence to steal a farthing, and a British subject chose to go into that country and commit that offence, I do not see on what grounds I could urge interference on his behalf. It would be the old case of *Que diable allait-il faire dans cette galère.* Nor, although I shall have to tell of very grievous sufferings endured by British subjects in foreign prisons, do I lay any stress on them except as aggravating the injustice which they have sustained. But in demanding justice for them—or, at least, pleading for that inquiry which I consider the preliminary step towards justice—I shall at once assume the position that no country, however weak, and however misgoverned, can be allowed the privileges of a Sovereign State on matters where the rights of other nations are concerned without incurring the fullest responsibility which attaches to the exercise of sovereign powers. Well, Sir, the story of the *Talisman* is briefly this. In May, 1874, she sailed from Cardiff on a trading voyage to South America. Among her cargo was a considerable quantity of gunpowder, but not more than is frequently carried in that trade, and it was embarked with the knowledge of the Custom House officers in the most open manner. Besides this, it afterwards turned out, was a quantity of arms and military accoutrements; but these, being packed in boxes, were stowed away without the crew knowing anything as to their contents. The *Talisman* was manned by 21 officers and men, mostly British subjects. They were, many of them, married men, men of excellent antecedents, and as little likely to engage in any illegal enterprize as could possibly be imagined. Arrived at Quinteras, a Chilian port, the *Talisman* took on board 48 Peruvians, who afterwards turned out to be ringleaders in a conspiracy to overturn the existing Government of Peru. These men came on board in twos and threes, in ordinary civilian costume, and the vessel cleared ostensibly for Vancouver's Island. But after she had been at sea a couple of days the Peruvians put on uniforms, armed themselves with weapons which they had concealed in their baggage, and assumed command of the vessel. The crew protested, but were ordered back to their work, and assured that there was nothing wrong, and they had no option but either to mutiny in the face of more than twice their number of armed men or to obey. Off Pacasmayo in Peru the *Talisman* cast anchor, and her captain went ashore to ask leave to repair some machinery. There the authorities—acting on instructions from Lima—seized him, together with the second mate and three men who accompanied him, while the captain of the port boarded the vessel. As he did so the conspirators rushed upon him with their revolvers and made him prisoner, and firing upon a boat full of soldiers who were sent to take the vessel, compelled them to retreat to shore. They then, with arms in their hands, compelled the crew—who were now reduced to one-third their number, and unarmed—to work the vessel southward to Ilo, where, the Peruvian iron-clad *Huascar* bearing down upon her, they took possession of the Moquegua railway and escaped up country. The crew, making no attempt to escape, were taken prisoners, and the *Talisman* was sent into Callao for condemnation. Her capture occurred on the 22nd November, 1874; she was brought before the Peruvian Prize Courts and condemned as a lawful prize in June, 1875; but the case being twice appealed, her final condemnation did not take place till November, 1875. Now, in all this, there was nothing to complain of. The vessel had brought out arms and ammunition, which it appeared were intended for use in an insurrection, and she was justly condemned. Had the insurgents acquired the *status* of belligerents, the crime of those responsible for her doings would simply have been the carrying of contraband of war. As it was, the insurgents having no such *status*, it was technically piracy. Had her officers and crew, then, been tried on a charge of piracy, I should have had nothing to complain of. What I have to complain of is their long imprisonment without trial. Now, hon. Members may say that that was no great punishment for men guilty of piracy. My reply is, that not one of the crew was guilty of any criminal participation in the *Talisman's* offence. It would be a wearisome task to prove this; but I am saved the trouble, for after a year's imprisonment 18 of the crew were dismissed, because the officials in the Supreme Prize Court reported that there was not even such a *primâ facie* case as to warrant the criminal authorities in instituting proceedings against them. Under the laws of Peru the Prize Courts have no criminal jurisdiction; but the Fiscal or Public Prosecutor of the Supreme Court, on the occasion of the final condemnation of the *Talisman*, recommended the dismissal from custody of the crew, on the ground that they had been shown not to be criminally responsible; and the Supreme Prize Court confirmed that opinion by acting upon it, and ordering the dismissal of the men. The captain and two mates, argued the Fiscal, are criminally responsible, and should be handed over for prosecution to the criminal authorities. But the other 18 men—who by this time had been imprisoned for a year—are not criminally responsible, and should at once be set free. Now, Sir, I shall presently show that the prolonged imprisonment of these men was not justified by any law of Peru, or by any precedent of Peruvian procedure; but before doing so I must explain to the House what the imprisonment, to which British subjects who are unfortunate enough to fall into the hands of the Peruvian Government are subjected, really means. To many hon. Members the word imprisonment will suggest nothing more than enforced confinement in clean, well-ventilated cells, ample food of excellent quality, and the care of a chaplain, a schoolmaster, and a physician. In Peru it means something very different. The first persons captured were the second mate and three men, who were taken along with the captain, on the 23rd October, 1874, before a single shot had been fired by the rebels. They rowed ashore with so little idea of capture, that they had nothing on but their shirts, trousers, and boots. When the firing began, the mate and these men were driven, with breech-loaders at their heads, before a squad of Cavalry to prison. One of them was knocked down, and another cowhided on the back till the blood came. They were—to quote the mate's description—imprisoned in a dirty hole, out of which they had to remove broken bottles, bricks, and rubbish, before they could sit down to be put in irons. Here they were left for the night, without so much as a drink of water. Luckily for them, as they had had no food since morning, that ubiquitous Scotchman—who is as universal in South America as throughout the rest of creation—kept a restaurant in Pacasmayo, and hearing of their plight, provided them with supper. Next day, their arms were tied behind them, "most cruelly roped from the shoulders to the finger ends, and made quite black," as the mate described it, and they were removed to San Pedro. There they were kept till the 20th November, or nearly a month after their capture, and during all that time the Peruvian officials gave them no food, and they had to live upon what the captain was able to supply them with. Then they were removed to another prison where they remained till the 12th of December, and during those seven weeks these men—who, as I have said, had come ashore without other clothing than their shirts, trousers, and boots—had neither bedding nor clothing supplied to them, and had to sleep without covering on the stone floor of their prisons. On the 12th of December, they were taken back to Pacasmayo, each man being mounted behind a Cavalry soldier with his face towards the horse's tail and his feet lashed under its belly. At Pacasmayo, they were placed on board the Peruvian gunboat *Chalaco*, where the captain and mate were kept prisoners below, while, the vessel being rather short of hands, the three men were, without ceremony, impressed into the naval service of Peru. That is to say, their names were placed on the *Chalaco's* books—they were mustered with the rest of the crew, and they were dressed in Peruvian naval uniforms. The men add that they were promised pay, but never got any. When they arrived at Callao their uniforms were taken off and they were sent to prison, where they remained till November last. In prison at Callao they found the rest of the crew, and learnt their stories, which I shall now proceed to give. When the *Talisman* was seized by the *Huascar* on the 2nd of November, 1874, her crew were all, with the exception of the steward and the cabin boy, transferred on board that vessel, which was commanded by an officer of the ominous name of Growl. Now, as the *Talisman* was sent direct to Callao, only touching at Molendo, it would have been just as easy for Captain Growl to have sent her crew ashore as prisoners at once, as to wait, as he did till he had got five weeks active service out of them. But the insurgents who had escaped had proceeded with their programme, and were trying to work up an insurrection in the South, and the suppression of that insurrection would involve some extra work. Now, on the South American coast a not unfounded impression prevails that a British sailor is worth two or three Peruvians. So Captain Growl elected to keep the men on board and make them work for their living, and he did so for five weeks, as long as the tug of war lasted, and until the insurrection was suppressed. He knew how to make them useful too, did Captain Growl, for one of the men—Scott—being an engineer and boiler-maker, was sent ashore at Ilo and compelled to work day and night repairing some locomotive engines which the insurgents had put out of gear to prevent pursuit when they escaped to Moquegua. Scott specially complains of this piece of work, because he thinks it was more than his share; but during the four weeks he had them on board the *Huascar* —during which time that vessel was occupied in carrying troops and munitions of war—Captain Growl treated them in other respects with the greatest impartiality, making them keep their watches and do their work, every man in his station, precisely as if they had belonged to his own crew. Unfortunately he was very ungrateful, not even promising them pay, threatening them with irons when some of the men who had been sworn at for soiling the ship's paint with their dirty clothes asked for a change of raiment; and, finally, on the suppression of the rebellion, packing them off to prison at Callao, on the open deck of the *Talisman*, where they were kept night and day for three days. The services of one of the most indispensable hands on board the *Talisman*, Captain Growl had been reluctantly obliged to forego—I refer to those of Mr. Roberts, the chief engineer. For the Peruvian engineers could not work the *Talisman's* engines, and Roberts had to be taken back from the *Huascar* to look after them and take her into Callao. There he was at once marched to prison, where he lay for three weeks, when another episode occurred, to which I would ask your special attention. At this time the Peruvian Government was busily engaged in suppressing the little insurrection which, as I have said, the *Talisman's* rebel passengers had succeeded in raising in the

South. The *Talisman* was lying idle in Callao, still of course under the British flag, awaiting condemnation, and in point of fact, as I have indicated, she was not condemned for six months afterwards. It, however, struck the Peruvian Minister of War that she was just the vessel to take him down to Molendo to meet the President, and to carry South some artillery which he was anxious to send against the rebels without delay. The only obstacle to his employment of her was the British flag. We in this country know what a sacred Palladium that flag is; but they evidently do not think much of it in South America, nor believe much in the spirited foreign policy of right hon. Gentlemen opposite. At all events, they got rid of the difficulty in a very summary fashion, by pulling down the Union Jack and running up the Peruvian ensign. Then the Minister of War addressed a note to the Judge of the Prize Court, which being translated runs thus :—

> "Ministry of War and Marine,
> Lima, Nov. 29, 1874.
>
> "Sir,—the presence of the steamer *Talisman* not being indispensable to the further course of the present inquiry, and it being of urgent importance to send her immediately to the southwards, you will be so good as to place yourself at the orders of the Commander of the Maritime Department of Callao.
>
> "May God protect you.
> "NICOLAS FREYRE."

On receipt of this note the President of the Prize Court, with all the courtesy which characterizes the Spaniard, at once placed the *Talisman* at the disposition of his Government, and the troops and guns were embarked. But, as I have said, the Peruvian engineers could not work the *Talisman's* engines. Luckily there was Roberts, her own engineer, lying in the prison, quite at hand. Why not utilize him? Why not, indeed? He was only a British subject; and, as I have said, they do not care much for our spirited foreign policy in Peru. So Roberts was taken out of gaol on the night of November 30th, and marched down to the *Talisman*. There he had the honour of being received by the Peruvian Minister of War, who ordered him to take charge of the vessel's engines. But things must be done decently and in order, even in Peru, so on the following day (December 1st), the President of the Prize Court gave a written order to this effect—

> "It being a matter of urgency that the late engineer of the steamer *Talisman*, Alexander Roberts, should be in charge of the machinery, and he being at present in gaol as a prisoner, under the jurisdiction of this Court, and in view of the urgency of the service for which the aforesaid steamer is required, the commandant aforesaid resolves that he [Roberts] shall sail on board the *Talisman* during this voyage, remaining on board in the same condition of prisoner, the captain of the steamer being personally responsible for his safety.
>
> "DIEGO DE LA HAZA."

So Roberts, "in his same condition of prisoner," took the British steamship *Talisman*, under command of a Peruvian captain, flying the Peruvian flag, with Peruvian troops and the Peruvian War Minister on board, to Molendo and Ilo; and on his way back, the insurrection being at an end, and Captain Growl having no further use for his prisoners, took them off the *Huascar* back to Callao. For this service of urgency performed distinctly "in his capacity of prisoner" Roberts was promised $100, and got nothing. At Callao they arrived safely on the 8th of December, 1874, and the whole of them, including the engineer, were at once consigned to prison. There, as I have said, they were soon joined by their shipmates from Pacasmayo, and there they were kept till the 17th of November of the following year. We have seen what prison life at Pacasmayo and San Pedro was like. Let us now see how these sailors, who were at last dismissed because there was not even a *primâ facie* case against them—let us see how they fared at Callao. Well, Sir, my attention was first called to the case in June last, and as I knew nothing of the details which I have just described till a few weeks ago, I was obliged to base those representations which I made to the Foreign Office on the subject, on the long detention of the men without trial, and their cruel treatment in prison. Other people did the same thing, and we all received the same stereotyped reply, that Government was doing everything in its power to procure their speedy trial, and that their treatment was reported by our Consul at Callao to be fairly good. On July 26th, a statement from the second mate, John King, appeared in *The Times*, to the effect that the entire crew of the *Talisman*, with the exception of the captain, were imprisoned in a large underground casemate in the dismantled fortress of Casa Matas; that in this cell along with them were shut up sometimes 90, but never less than 60, of the lowest-class ruffians in the country, who used the knife freely when they quarrelled; that the cell was dark, ill-ventilated, and swarming with vermin; that the water supply was deficient, and no soap allowed; that the place was rendered disgustingly foul by the presence in it of two soil tubs; that four of the crew had been sick and one had been sent to hospital, but not before he had lain ill in the cell seven days. I availed myself of the opportunity to ask the hon. Gentleman the Under Secretary of State for Foreign Affairs whether the allegations contained in King's statement were true, and received a reply, based I am quite certain upon what he considered reliable information, that the captain of the *Talisman* was lodged in a cell with three political prisoners, two of whom held the rank of colonel, while the prison companions of the men were unconvicted Peruvian prisoners, some of whom were captains and lieutenants in the army, that their food for prison diet appeared good and sufficient, and that they were receiving fair treatment in prison. This reply naturally found its way out to the *Talisman* prisoners in Peru; and I was not long left without information which convinced me that the information of the Foreign Office regarding the entire case was extraordinarily defective. The captain, it was true, was confined in a separate cell with native political prisoners, one a colonel, and two lieutenant-colonels; but he explained "the colonel stole his watch, one of the others picked his pocket when he was asleep, and the other committed several petty thefts." The mates and men explained that for a short time there had been political prisoners confined along with them, but these were soon liberated, and the cell filled up with convicts of the lowest class. On the 12th September, for example, there were 83 men in the cell, 20 belonging to the *Talisman*, 7 life-convicts undergoing sentence for murder; 10 men undergoing sentence for stabbing; two for shooting; 22 for thefts, housebreaking, robbery, &c.; 20 mutineers, and two foreign political offenders. These men hâd no difficulty in smuggling in drink and knives, which they used freely in their quarrels, and on Sundays especially, when their friends were allowed to visit them, the place became a perfect Pandemonium. As to food, the men's daily rations consisted of two pints of soup, which they protest was little better than dirty water, half the allowance of bread to which they had been accustomed on board ship, one-sixth the allowance of beef, about as much potatoes, beans, or rice as they had been used to, and no tea, coffee, or sugar. Their food, in short, was exactly the same as that of the convicts, with this exception—that the convicts, having been in prison much longer than they, had first choice of rations, and they had constantly to accept meat which the murderers and the thieves had refused. In fact, they all assure me, that had it not been for the generosity of some of their fellow-countrymen in the employ of the Pacific Steam Navigation Company at Callao they could not have lived. Some of them had no clothes but what they had on when captured. These were soon worn out, but no clothes were served out to them by their gaolers until 11 months after their capture, and during the first fortnight of their imprisonment they had neither beds nor blankets. Now, why do I dwell on these hardships? Simply because the imprisonment of these British subjects without trial was unjustified by any law of Peru. This became evident, at a very early stage of the case, when the President of the Prize Court, having taken their evidence—especially precognoscing them, the hon. Member for Peterborough (Mr. Whalley) may be interested to learn as to whether they were Catholics or Protestants—declared that under Peruvian law he had no power to detain them further, and that they must forthwith be set free. In accordance with this opinion the Peruvian Secretary of State informed Her Majesty's Minister at Lima that they were to be set at liberty without delay. On this point, however, the Government appeared to change its mind, and obtained an elaborate opinion from its Attorney General on the subject. Now, I leave to any Gentlemen of the long robe who may speak after me to deal with that opinion, but may state that its purport was briefly this:—That although according to Peruvian law there was no provision for the detention of the sailors after they had given their evidence, yet it was clearly competent for the criminal authorities to try them on a charge of piracy. But there was no instruction in the Peruvian Code, and no precedent in the annals of Peru, to show how this power might be made available. Well, instead of adopting the obvious and simple course of allowing the Prize Court to release the men in accordance with law, and then taking them into custody and proceeding against them on the criminal charge, the Attorney General, arguing from what he said had been laid down in the French Code, from what he alleged had been declared to be International Law in different English, French, and American cases which he quoted, maintained that the men might be kept in custody until the prize case was concluded, without being brought to trial, and then, should the vessel be condemned, be handed over to the criminal authorities for prosecution for piracy. It was not, therefore, according to any law or precedent of Peru that these innocent men were subjected to a year's imprisonment without trial in that foul dungeon—confined for so many months along with the vilest scum of the earth—exposed to hardships and degradations under which the health of several of them and the mind of one gave way—exposed to insults and ill-treatment which have now culminated in the murder of Mr. Sibley. It was not according to any provision of Peruvian law that they were subjected to an apparently interminable incarceration, and their wives and families left to starve—in one case left to die—at home. It was simply in accordance with what a Peruvian Attorney General, in January, 1875, described as the powers which Peru could claim according to his reading of International Law—that International Law which during the two preceding months his Government had so often and so flagrantly violated—which they had violated when they impressed Pergrien, Ross, and Akers on board the *Chalaco*, and put them into the Peruvian uniform—which had been outraged when Captain Growl subjected the greater part of the *Talisman* crew to a five weeks' enslavement on board the *Huascar*—which had been violated when the Peruvian Minister of War substituted the Peruvian ensign for the Union Jack on board the uncondemned ship *Talisman*—and which had again been outraged when he impressed her engineer to assist in the transport of himself and his troops to Molendo. I am not one of those who sneer at International Law. I believe there is no branch of jurisprudence which has been more laboriously, or scientifically, or usefully elaborated. But if a foreign Government takes its stand on International Law, let it be judged by it. Under Peru's own interpretation of the precedents of International Law she has meted out hard justice to British citizens; let her make reparation according to the teaching of those precedents which she herself has invoked. If Peru has her precedents, we have ours in the case of the *Cagliari*, an infinitely milder case, where two engineers, compelled by Italian rebels to work under their orders, were imprisoned by the Neapolitan Government for five months—a case where one of the prisoners certainly lost his reason, as one of the *Talisman* crew is said to have done—where the other lost his health, as has happened to many of the *Talisman's* men; but a very much milder case of outrage in every respect than that of the *Talisman*. But Lord Palmerston was Prime Minister then, and he understood what a spirited foreign policy really meant. Within five months the liberation of the men, an apology, and £3,000 damages had been obtained from the Neapolitan Government. It remains to be seen whether the much vaunted spiritedness of the foreign policy of the present Government will prove equal to the organization of an inquiry to ascertain how far the nation has been wronged and insulted, or whether so much of it has been allowed to evaporate in empty boasting that the only hope of maintaining the Ministerial reputation for spirit is to try by stifling inquiry to keep the world in ignorance of the extent to which the nation's honour has been outraged, and the rights of her subjects trampled under foot. Sir, I maintain that although the question is one of vital importance to the crew of the *Talisman*, it is one of still more importance to a maritime nation like Britain. If such precedents as these set by Peru in this case—the seizure of a vessel under the British flag for Government purposes, and the impressment of our sailors on board foreign war ships—be tolerated, our commerce will become a constant source of danger to us. If we refuse to protect our sailors abroad, the sooner we cease to cling to maritime greatness the better. Not only has a cruel injustice been perpetrated upon the men, who, after a year's imprisonment were declared innocent, but I maintain that a gross injustice was perpetrated against the captain and two mates, two of whom are still, and one was until the other day when he was murdered, detained in that wretched prison without being brought to trial. A *primâ facie* case sufficient to justify their detention on a criminal charge is one thing, and that detention without any trial for 17 months in the foul dungeon which I have described, is quite another. Months ago, I maintain, our Government had not only the right, but was bound to interfere and demand their liberation, for it is our Government's duty to see that in allowing a foreign Power to exercise criminal jurisdiction over British subjects they receive no worse treatment at its hands than is accorded to that Power's own subjects under similar circumstances. Well, how has Peru dealt with the Peruvians who were taken with arms in hands? How has it dealt with the most guilty of them all, a man who attempted the life of the President of the Republic? Eight months have elapsed since he and every other rebel have been set free. But, Sir, I need hardly argue this point, for I find that the noble Lord at the head of the Foreign Office admits it. In a despatch of his to the British Minister at Lima, dated 7th September, 1875, I find him writing that while admitting the Peruvian jurisdiction in the case of the *Talisman* crew—

> "Her Majesty's Government must claim the right to see that British subjects do not suffer manifest injustice, even though such injustice may be inflicted in accordance with the forms of law; and it appears to Her Majesty's Government that the detention in prison for 10 months without trial of persons who may be perfectly innocent of any intentional offence against the laws of Peru, is so flagrant an act of injustice as to entitle Her Majesty's Government to insist upon its immediate redress."

If it was so flagrant an act of injustice as to justify this six and a-half months ago, has the injustice become any less flagrant now? Months elapsed and these three men still lingered untried in prison. Even if this had been in accordance with the forms of Peruvian law, according to the noble Lord it could not have been justified; but so far from being so, we find from the Papers which were placed in the hands of Members on Saturday that the detention of these men was in direct contravention of the Peruvian constitution. We find this distinctly stated in a despatch from Mr. Consul March to Lord Derby, and again even more explicitly in a letter addressed by the same gentleman to the Prefect of Callao—

> "These persons" (the captain and mates), he writes, "have been in prison upwards of one year awaiting their trial. Their health has been seriously impaired, and their moral condition is becoming lamentable by the suspense in which they are kept and the hardships which they have suffered. Article 18 of the Constitution of Peru requires that any arrested person shall under any circumstances be placed at the disposal of the Judge within 24 hours, and the Penal Code by paragraph 6, Article 128, renders punishable as the abuse of authority the detention without trial of any accused individual beyond those 24 hours."

Twenty-four hours! Why, Sir, these unfortunate men have been kept in prison more than 500 times the statutory 24 hours and have not yet been brought to trial, and yet Her Majesty's Government has not insisted on redress. The state of things six months ago constituted so flagrant an act of injustice as to entitle our Government to insist upon its immediate redress even had it been according to the forms of Peruvian law, and yet after six months, when it has been shown to be directly at variance with Peruvian law, redress has still to be insisted upon. Seventeen months have elapsed, one of the prisoners has been murdered, and the redress portion of the *Talisman* drama has still to begin. Lord Palmerston had the *Cagliari* men home and the £3,000 paid within five months. And now, Sir, for the Committee of Inquiry which I am about to move for. I do so because I wish, in the first place, to collect authentic and official information. Government not unnaturally will not accept my facts. When, on the 3rd of November last, I wrote calling Lord's Derby's attention to the fact of the outrage which had been committed in the impressment of so many *Talisman* men on board the

Huascar, he took no notice of my statement. When I remonstrated about the long detention of the men without trial, I was told, what I have now disproved, that it was in accordance with a provision of Peruvian law. When I submitted to the Foreign Office the stories of the crew as to how they had been treated, it was replied that Lord Derby could not doubt the evidence of his official correspondents in Peru, all of whom concurred in asserting—and I think this murder has shown how monstrous their assertion was—that there was no serious ground for complaint. When I last year asked for Papers relating to the case, I was told that they would be included in a collection of Papers relating to the imprisonment of British subjects in Peru, which, on the 19th of July last, had been ordered to be presented to this House. Since then eight months have elapsed, the Papers in an incomplete form were only forthcoming, on Saturday, two of the men remain untried in prison in Peru, and a third has been released only by the knife of the assassin. I think this House has a right to know who is to blame for this fatal apathy and inaction. I do not ask the House to take any action on the information which I have collected. It has been collected with considerable labour and difficulty, and may in some respects be inaccurate. I have, however, given every opportunity in my power to allow of its accuracy being tested. The moment it came into my hands I laid it before the hon. Gentleman the Under Secretary of State for Foreign Affairs. I went further—I put those portions of it which constituted the grounds on which I based the allegations contained in my Resolution in the form of a pamphlet, and placed them in the hands of a number of hon. Members. All I claim, however, is to have established a strong case for inquiry, and I ask for it the more firmly because those of the crew who returned home in January, and who have since been engaged in attempting to recover their wages, can now be called upon to give valuable evidence, which in a short time when they return to their calling and get scattered over the world, will be irretrievably lost. The hon. Gentleman concluded by moving for the appointment of the Committee.

SIR HENRY HAVELOCK, in seconding the Motion, said, he could add little to the elaborate and complete statement of his hon. Friend; but he wished to say a few words on behalf of Captain Haddock, the master of the *Talisman,* who still remained in detention. It was necessary to make a clear distinction between the guilty persons in this matter and those who were innocently engaged in the navigation of the ship. Whatever might be the case as regarded the guilty knowledge of the owners of the ship or of those who chartered her, there was not one atom of proof that the captain, or second officer, had any guilty knowledge whatever of the enterprize in which the vessel was to be employed. This was fully established by the Papers which had only been furnished by the Government to the House within the last few hours. Although the cargo contained ammunition and clothing, these were embarked at Cardiff without the slightest concealment, and with the full knowledge of the Custom House officers. After proceeding to the Eastern Coast of South America, being told that he was to Act under the instructions of those to whom the cargo was to be consigned, he proceeded to the West Coast, where certain persons were taken on board as passengers in plain clothes; and in the whole of his conduct up to and subsequent to that point, so far from there being anything to suggest any complicity on his part, there was everything to lead to the conclusion that he acted in the most natural and innocent manner. The subsequent movements of the ship had been described, and truly, as piratical. But by whom were they carried out? By armed Peruvians who went on board, and although the ship was justly and rightly condemned, these proceedings were the action of certain revolutionary Peruvians who must settle the matter with the Government of their own country. It had been stated that the imprisonment of the men had been conducted with every possible moderation, but he could not find any evidence of that being so. What had struck him was, that there was considerable divergence of opinion on that point between the poor victims of this imprisonment and the Representative of the British Government on the spot, who seemed to have displayed great apathy and lukewarmness in the matter. What would have been the Consul's own feelings if he had been confined in a filthy dungeon with those men who so freely used the knife? It was to be regretted that the view which Lord Derby appeared to have taken so long ago as August or September last had not been acted upon. Lord Derby then thought the proceedings so urgent that on the 27th of September last year, he stated that they were of a nature to justify the British Government in demanding immediate redress; and if that view had been persevered in at that time, and the representations of our Consul had been somewhat more urgent, he could not help thinking that they would have met with greater success, and that these unhappy proceedings would have been brought to an earlier conclusion. It was rather remarkable that while the Peruvians who were in insurrection against their Government, and whose lives might, perhaps, have been justly forfeited, had been released; the only persons made to suffer were Englishmen. A perusal of the Papers would suggest that the conduct of the Peruvian Government in this matter was according to their usual course. He trusted that the Government would be able to give explanations which would be satisfactory to the House; but meantime the information afforded by the Correspondence was not only not satisfactory, but was of a nature to create the most lively apprehensions as to what might be the effect of permitting foreign countries to go away with the notion that such a mode of treating British subjects was acquiesced in by this country. The representations made by Lord Derby in September last appeared to have been entirely disregarded. They had lately been engaged in somewhat unprofitable discussions respecting the Royal titles; but here was a case in which the dearest interests of British subjects were involved, and he thought it equally deserving of the attention of the House. He would suggest that the spirited foreign policy of which they had lately heard so much would here find scope for vigorous action, and that the Government ought to lose no time in making a full and searching inquiry into the facts of this remarkable transaction. The seamen, who were the only available witnesses of what had occurred, were now in this country; but they would in a few weeks be scattered abroad, and there was no time to be lost in taking their evidence. He thought the case made out for their examination was as strong as could possibly be conceived. He trusted the result of the discussion and of the action of the Government in the matter would be that the lives and liberties of British subjects, even in so remote a country as Peru, would in future be rendered secure.

Motion made, and Question proposed,

"That a Select Committee be appointed to inquire into the circumstances connected with the seizure of the British Steamship 'Talisman' by the Peruvian Government, her employment in the national service of Peru, the impressment of her crew on board Peruvian war ships, their prolonged imprisonment without trial, and the whole circumstances of the case." — (*Dr. Cameron.*)

MR. BOURKE said, the speech which the House had just listened to contrasted remarkably with that of the hon. Gentleman who had introduced the subject, for the hon. and gallant Member had endeavoured to introduce a variety of subjects which had nothing to do with the case now before the House. The hon. and gallant Gentleman had accused the Government of keeping back the Papers on the subject until the last few hours. The fact, however, was that these Papers had been issued last Friday. Their presentation had been kept back advisedly, and for this reason—that there were two persons at present in prison in Peru, and the object of the Government in withholding the Papers was not to prejudice their case, by exciting any angry feeling in Peru, until they were perfectly certain that the trial of the men was over and they were no longer in peril. When, however, the hon. Member for Glasgow (Dr. Cameron) put his Notice on the Paper, and took the responsibility of raising a discussion in this House, the Government felt it necessary that these Papers should not be kept back any longer. Although he could not consent to the terms of the Motion before the House, no one could be surprised that the hon. Member for Glasgow had brought this question forward, and it was much to the honour of the hon. Gentleman that he had taken the trouble to find out as much as he could of the facts of the case. He did not admit that the hon. Member had ascertained all its facts. On the contrary, his statement was to a certain extent, and unavoidably so, of an *ex parte* character, and he (Mr. Bourke) was glad, so far as the Government were concerned, that he had now been afforded an opportunity of stating the whole of the facts. It was a question which not only concerned the persons in prison, but the honour of Her Majesty's Government, and the policy which should be pursued with respect to British subjects who got into scrapes in foreign countries. He thought the House would do well not to debate the matter at present, but allow him to state what had been done. He could not enter fully into the case of these unfortunate men, because he did not possess sufficient information; and with regard to the death of one of the prisoners, he entreated the House to dismiss from their minds at present what had been stated on that subject. He might be allowed to recall to the recollection of the House the exact condition of the Republic of Peru at the time when this expedition set out. At the commencement of 1874 peace reigned throughout the whole of Peru. During that year Senor Pierola, who had formerly been Finance Minister, and was opposed to the Government then in power, set up an insurrectionary movement. He formed the design, not uncommon, he believed, on the part of defeated politicians in the South American Republics, of stirring up discontent and rebellion in the country. Pierola was a man in the prime of life, possessed of great energy, and appeared to be a person of considerable ability, and he was supported in his designs by certain foreign houses—not Peruvian houses, but he should not mention names—in the town of Lima. These houses intended, if the insurrection proved successful, to obtain for themselves certain benefits in the shape of guano contracts. There had been several insurrectionary movements in Peru, but by far the most formidable was that initiated by the *Talisman*. The vessel was fitted out in this country by the agents of Pierola, the insurgent chief. She was loaded with munitions of war, and started for Peru. The attempt failed, although a vast amount of bloodshed was caused by her attack upon Peru. Peru afterwards became greatly excited, and the people were heavily taxed on account of the measures taken by the Government for the purpose of putting down the insurrection. No doubt, too, great irritation was felt all over the country from the fact of a British ship, manned by British sailors, being employed to create this insurrection, which no doubt caused most serious evils, both privately and publicly, to the Republic of Peru. Who the wicked men were who acted in this country as agents for Pierola he did not know, but no name was too bad to apply to them; and he only wished the hon. Member for Glasgow would apply as much energy in obtaining what knowledge he could of the conduct of these people as he had applied to other parts of this case.

DR. CAMERON wished to explain. As far as he knew, there certainly had been no Glasgow men mixed up with the case. He was utterly ignorant of any persons who had been agents for Pierola.

MR. BOURKE said, he was very glad to hear it. He did not suppose for a moment that the hon. Member for Glasgow knew who the agents for Pierola were. He only wished the hon. Member would apply the same energy he had shown in other parts of the case to find out who the agents were and expose them to the public. Upon those agents the responsibility of the whole misfortunes which had befallen these unfortunate men must rest. The sailors and captain might have their remedy against those agents, and he hoped they would obtain it. Already, he was told, the captain was proceeding for his remedy, and he was informed there was some probability of his making them responsible. But when the hon. Member for Glasgow and the hon. and gallant Member who seconded his Motion talked of the outrage committed upon the British flag by the Peruvians, he confessed he did not feel that the Peruvian Government had committed an outrage upon the British flag at all comparable with that committed by the persons who made use of this vessel for the purposes of the insurrection. The outrage on the British flag lay in this—that it was fraudulently and criminally used for carrying out a nefarious purpose, so that instead of the British flag being, as it was under ordinary circumstances, the ensign of peace and of power all over the world, conspirators against a nation with which we were at peace converted it into the ensign, not of peace and power, but of war, and war of the most contemptible and disastrous character. If the House would allow him, he would describe as shortly as he could the circumstances which had occurred with regard to the *Talisman.* He was bound to do so, because the statement of the Mover and Seconder could not be accepted as correct. It seemed that the *Talisman* was a steamer of 135 to 140 tons. She was built by Messrs. Blackwood and Gordon, Port Glasgow, for Mr. Martin Orme, 27, Robertson Street, Glasgow, and by them was employed to trade between Glasgow and the Highlands. She sailed in 1874, on behalf of her present owners, for the expedition. At page 41 of the printed Papers Mrs. Roberts, the wife of one of the officers, stated—"My husband became chief engineer of her in December, 1872." Mr. Orme, in April 1874, sold the *Talisman.* The sale was effected by commission; but besides their agents, the parties or party who bought the vessel was represented by a Mr. Fair, who superintended the fitting out of the vessel after the sale, and also engaged the crew. Who that Mr. Fair was he should like to know.

Dr. CAMERON believed he was a working engineer in Liverpool—a man of straw—in whose name the vessel was registered.

Mr. BOURKE said, he was very glad to hear it. The fact of his being a man of straw made it still worse. The master, on the 20th of November, 1874, stated—

> "We left Glasgow on or about the 5th of May, and cleared out from that port for the River Plate, *viâ* Cardiff, where I arrived about the 9th, and left on the 19th, having taken on board a supply of coal, arms, ammunition, clothing, &c., with instructions from the agents of the steamer, Messrs. Moran, Galloway, and Co., to proceed to the River Plate."

Who Messrs. Moran and Galloway were he did not know; but the articles were such as should certainly have aroused suspicion. He had asked a great number of shipowners, who all informed him that they were of a most suspicious character; no man should have signed them without inquiring most particularly about them. In the ship's articles the voyage was thus described—

> "Glasgow, *viâ* Cardiff, Monte Video, and, or if required, to any port or ports in South America, North or South Pacific, Australasian Colonies, Indian or China Seas, Mauritius or West Indies, British North America, or States of America, until the ship returns to a final port of discharge on the continent of Europe and in the United Kingdom, with liberty to call at any port for orders. Probable period of engagement—two years."

He must say those ship articles were of an unprecedented character? What were the instructions from the agent? The *Talisman* was to sail to South America, and Mr. Bulwer—another man of straw, he supposed—was to have the sole control of the vessel and the cargo. That, he should have thought, was sufficient to cause anyone who was going to sail in the *Talisman* as part of the crew or as an officer to make inquiries as to the destination of the vessel. They went to Cardiff, and there got their ammunition and arms. The whole cargo consisted of warlike materials.

Sir HENRY HAVELOCK said, he certainly read the statement differently. The cargo consisted of 1,000 packets of merchandize.

Mr. BOURKE: Every one of those packets consisted of warlike materials. [An hon. Member: Did the captain know it?] He would not ask what was the notion of Captain Haddock, who was in prison. When the *Talisman* arrived at a Chilian port she took on board 39 of these insurgents, who remained some time on board before the vessel started again. There were many circumstances that would justify suspicion, particularly the circumstance that Mr. Bulwer left the vessel to go into the interior and came back with the insurgents. They touched at another port, and yet nothing was done by the sailors or captain; the sailors did not express any wish to leave the ship. The vessel then started for Peru under cover of a statement that they were going to Vancouver's Island. He saw the statement he was making met with disapproval, and he knew the objection that would be made; but what was he to do, seeing that the Government were attacked? If the hon. Member for Glasgow would withdraw the Motion he (Mr. Bourke) would sit down. He had no wish to prolong the debate.

Dr. CAMERON: The mischief has been done, and I shall not withdraw the Motion.

Mr. BOURKE said, it was true the mischief had been done, but the Government was blamed for it—this was a hostile Motion, and if the hon. Gentleman would withdraw it he would sit down. He appealed to anybody in the House to tell him how to deal with this question. Here was a direct Motion against the Government to which they could not possibly assent; because, if they did assent to it, it was assenting to an inquiry into their own conduct. After the speech which had been made by the hon. Member who had brought forward the Motion, it was impossible for him to refrain from going into the case, although he deprecated with all the force he could the course that was forced upon him. When the *Talisman* arrived in the Chilian waters she was seen there by a British Consul, and he would only refer to Page 23 of the Papers for what was said by the British Consul without reading it.

MR. COWEN: If what the hon. Gentleman is about to state will in any way prejudice the case, will he state what he will do without submitting anything else to the House?

MR. BOURKE said, if the Motion were withdrawn he would sit down; but serious charges had been made by the hon. and gallant Baronet (Sir Henry Havelock) against the Government, and he must answer them. He had taunted them in no unmeasured terms as to the course which they had pursued, and had compared their conduct with that of another Government about which he should have something to say later on. He would gladly adopt the suggestion of the hon. Member and curtail his observations if the Motion were withdrawn.

DR. CAMERON declined to withdraw the Motion, and said he had made the reference he was asked to make to what was said by the Consul; he had observed it before, but it struck him the Consul was prejudiced by what he had seen unofficially.

MR. BOURKE said, he must go on, and leave the responsibility with those who attacked the conduct of Government; and he would only remind hon. Members of what he had said privately as to his opinion of the position in which he was placed. In one part of the case the hon. Member for Glasgow made a very serious omission. He did not say what took place in Pacuka Bay, because that was where the insurrection occurred. The vessel set sail and went into Pacuka Bay, which was within the territories of Peru. (He (Mr. Bourke) did not suggest that the crew were responsible, because the captain was away—in fact he was in prison—but because the crew were not responsible that was no reason why the people of Peru should not be irritated and excited against the British ship and sailors, when they knew that an attack had been made at great trouble and expense, not to speak of bloodshed, in putting down this insurrection. He now came to a part of the case on which he could speak more freely, and that was the illegalities that were committed in regard to the captain, the engineer, and the crew. When the captain was taken out at Pacasmayo Bay he was put in prison, and subsequently he was put on board a vessel and taken down to Callao. He would not say the captain was treated properly; but he was a prisoner; and he was afraid the treatment he was subjected to was the treatment to which all prisoners were subjected in Peru. As to the engineer, Roberts, the hon. Member spoke perfectly right when he said that he was put in prison, and that there had been some irregularity on the part of the Peruvian Government in their treatment of him; but if he (Mr. Bourke) had been Roberts he should have preferred being on board ship than to have been in a Peruvian prison. No doubt the transfer of the men to the *Huascar* was an irregular proceeding, just as the use of the *Talisman* as a transport was irregular. If the same thing had happened to a more civilized country—if an English frigate had found a vessel on our coasts inciting the people to insurrection, the frigate would have brought her into port and had her condemned by an Admiralty Court; but there had been cases of a different character; and during the American War vessels were made use of by the Federal authorities before they were condemned. That was an irregularity or a novelty; it might have been authorized by municipal law, but it was contrary to the rule and practice to take a vessel and use her for a Government before she was condemned. All the irregularities that had been committed had been brought to the notice of the Peruvian Government; but the Government did not think it expedient to make use of them. Use had been made of them by the Consul in bringing them to the notice of the Peruvian Government, because the main object of Her Majesty's Government from first to last had been to obtain the release of the prisoners. But no mortal man had been injured by those irregularities, or prejudiced, and as to the user of the *Talisman*, she being condemned afterwards, there was nothing in that. But as to what might take place eventually the Government had reserved their rights, and the hon. Member for Glasgow need not be afraid that the Government would relax their efforts. He did not wish to draw any comparisons between what Lord Palmerston did and Her Majesty's Government. There was no statesman living or dead for whose character he had a greater respect than that of Lord Palmerston, and for everything he had written or said on foreign politics; but the hon. Member should recollect that, in reference to the case to which he had drawn attention — that of the *Cagliari*—Lord Palmerston was not in office, but that it was Lord Malmesbury who, when Secretary of State for Foreign Affairs, obtained the release of those prisoners. But that case was a very different one from the present, as that steamer started upon a perfectly legal voyage; and when she was out in the middle of the sea a number of persons, who were on board, overpowered the crew and took the steamer to a Neapolitan port. The captain, although he was upon a lawful journey, was put into prison and kept there for eight or nine months. Lord Clarendon, on this case, informed our Minister that it had occasioned great excitement and a most painful sensation in this country. It was not the intention of the Government to interfere with Neapolitan law, which must take its course if the crew had made themselves amenable to it; but that he did complain that their sufferings had been aggravated by their not being allowed to communicate with their friends, and the length of time allowed to elapse before they were brought to trial; and it was not till a change of Government took place and Lord Malmesbury came into office that the prisoners were released. With regard to the law and practice in these cases, he (Mr. Bourke) did not think anybody could say that there was the slightest difference in the policy of the Government and that of their Predecessors. It must, however, be remembered that these were all cases of degree. No doubt, we had a right to demand that these men should have a fair trial, and that their trial should be held without unreasonable delay. He was not going to say for a moment that an unreasonable delay in bringing them to trial had not arisen, because the Papers before the House were full of unreasonable delay. He should, however, be able to show that from first to last Her Majesty's Government had been remonstrating in the strongest language with the Peruvian Government on the subject of the delay in bringing these men to trial. At the time Her Majesty's Government first heard of the men being imprisoned they had good reason to believe that they would soon be released. This charge having been brought against Her Majesty's Government he felt bound to go fully into the question to show that they had not ceased to remonstrate in the strongest manner with the Peruvian Government. Mr. March, in December, 1874, wrote to Lord Derby as follows:—

"Anticipating the solicitude which Her Majesty's Government will, perhaps, feel in the condition of the master and crew of the *Talisman*, imprisoned in a country where places of confinement are notoriously faulty, and the administration of the law is so irregular, I availed myself of the first opportunity after the departure of the last mail to visit the prison at Callao, and inquire fully how these men were lodged and treated. I had already done so on more than one occasion, but this was the first time I could see the whole of the crew since their landing from the Peruvian ship of war *Huascar*. I was received with every attention by the gaol authorities, who allowed me to converse freely with the master and crew, and examine the part of the gaol occupied by them. The master, G. B. Haddock, I found in a room contiguous to the main building, but quite apart from the rest of the prisoners. He appeared somewhat dejected, but did not complain of anything. The men were in the common prison, which, though not comparable to similar establishments in England, was not so bad as some I have seen in Spain and other parts of the world. They lamented the loss of their wearing apparel, which had been taken from them at the time of their capture, and the want of proper bedding. They declared they were ignorant of the filibustering expedition on which the *Talisman* was engaged, and that they had been misled. Four of the men had mattresses, the rest rugs and blankets, arranged upon an inclined boarding erected for a sleeping place, similar to what is seen in guard-rooms for soldiers. On leaving the prisoners I called upon the Judge charged with the case, who was at much pains to explain the delay in the beginning of the trial, which, he said, had been caused by the fact that the arrests had been made in different parts of Peru, and the absence of an efficient interpreter. He said that the proceedings had now commenced, and that, notwithstanding the immense amount of work thrown upon his hands by the late arrests in the revolutionary movements, he would give this case priority over all others. I then visited the Commandant-General of Marine, who, in expressing his willingness to do all he could for the prisoners' comfort, ordered, in my presence, the naval officer now in charge of the *Talisman* to send to the gaol the mattresses I had requested. This order has been duly executed. During the interview a telegram arrived from the Minister of Foreign Affairs on the same subject, from all of which and the general conduct of the authorities I think they are desirous of meeting my representations in a conciliatory and fair spirit. I have not failed to avail myself of every opportunity to point out to them the facility with which seamen, as a rule, are led astray, and imparting my impression that in this instance most, if not all, of them have been the victims of misrepresentations, and that had they known the true object for which they were engaged they would not have joined the *Talisman*."

Some months after the receipt of that letter Her Majesty's Government had reason to believe that the prisoners were being well treated. In March of last year, again, Her Majesty's Government had heard from Mr. March as follows:—

"The fact that the crew, though still detained, are not confined with convicted prisoners, as is generally the case in this Republic, will, I trust, be viewed with satisfaction. I visited the gaol yesterday to make sure that this information was correct, and from my inquiries it appears that the master of the *Talisman* shares his room with three other political prisoners, two of whom are of the rank of Colonel. The crew are with the other Peruvian prisoners similarly situated, and among them are some captains and lieutenants in the Army."

The hon. Gentleman who brought forward this matter founded what he had said upon *ex parte* statements of the prisoners. He (Mr. Bourke) did not suppose they would state anything that was deliberately untrue; but after they had passed through such sufferings, it would be very likely that their statements would be to a certain extent coloured. At all events Mr. March's statement when he visited the gaol was, to a certain extent, a contradiction of what they had said. The Government had received similar accounts from Mr. March in May. He said that in other respects the delay had been unavoidable on account of the double character of the proceedings; because the criminal trial of the crew depended to some extent upon the trial of the ship, and this was a cause of delay from first to last. An appeal against the first trial took place; but if this had not been the case, in all probability, the prisoners would have been liberated before this. He did not say that this appeal was the cause of their being kept, because he was inclined to hold the argument to the Peruvian Government that they had acted unjustifiably in this case. In May, Lord Derby was not satisfied with merely writing to our Consul and our Minister in Peru, for on the fifth of that month he telegraphed; and when they heard that one individual prisoner had evidence to produce, they sent another telegram to Peru. In fact, they went on constantly remonstrating, until at last the prisoners were liberated, with the exception of the captain and the two mates. They had had a correspondence since then with Peru, and the Papers would show that they had held exactly the same language as they held when the other prisoners were detained. The Foreign Minister of Peru, in answer to a despatch from Mr. March, pressing on him that the trial should be proceeded with, wrote that he had the pleasure to inform him that on the 1st December last the criminal trial on the charge brought against the crew was begun, and he could assure him that it was proceeding in accordance with the law. Another despatch, in still more peremptory language, was written by Mr. St. John, and the Prime Minister of Peru wrote in answer that as to the trial of the captain and the mates of the *Talisman* the Government could not interfere with the action of the tribunal, and must limit themselves to requesting the Judges to dispatch the matter promptly. He added that he could not admit that there was anything unnecessary or vexatious in reference to the obtaining of evidence; and that they would maintain that the prisoners had not been treated with injustice. The importance of the evidence was solely a question for the Judge, and no one could be permitted to prejudge the matter. Mr. St. John had not failed in his duty of continuing to protest in the strongest language. The Government had sent three or four telegrams within the last fortnight upon the subject, and they heard that the trial was proceeding. After all, perhaps, the delay had not been an unmixed evil, for if the men had been tried at once, when public feeling in Peru was strong against them, they would probably have been condemned to a long period of penal servitude. The allegations of ill-treatment quoted by the hon. Member for Glasgow in his letter of the 9th of July last were contradicted in a despatch from Mr. St. John to the Earl of Derby, dated from Lima in August. No complaint, it appeared, had up till that time been made by the crew, either as to the quality or quantity of the provisions they received; their prison consisted not of cells, but of the large casemates in the Callao fortress, which, though gloomy, were spacious and airy; the persons confined along with them were principally political prisoners; and they had free communication both with the Legation at Lima and Consulate at Callao. He wished to call the attention of the House to a telegram which had recently been despatched by the Government in reference to the matter. It was as follows:—

> "Her Majesty's Government cannot consent to the trial of the *Talisman* prisoners being indefinitely delayed. I am therefore instructed to insist on their immediate trial; failing which, you may say that Her Majesty's Government will be obliged to demand the release of the prisoners."

He should not go into the case of Sibley at present. The Government had no information with regard to that unfortunate man's death; all they knew was that he was killed by a fellow-prisoner, and who that fellow-prisoner was they did not even know. As to the statement that the other prisoners engaged in the transaction had been liberated, they had no evidence on that point, and they believed the facts were exactly the reverse. If it were so, it would enable the Government to assume even a better position than at present. He hoped the House would not think he was going to justify anything that the Peruvian Government had done in the matter. It was a great misfortune, no doubt, for Englishmen who went to countries whose laws were entirely different from our own to have to come under the jurisdiction of those laws. But we could only claim that they should be fairly tried by the laws of those countries, and that their trial should not be protracted beyond a reasonable extent. It was not very long since a person in this country could be kept some seven months untried until Winter Assizes were instituted; and it was possible for a prisoner to be committed in July and not be tried till the following April. That ought to be borne in mind before they made a violent attack on the law of a foreign State because it was not as good as our own. He hoped that the hon. Member for Glasgow would be satisfied with the statement he had made, and would not press his Motion to a division. He was quite prepared to promise that everything the hon. Member had said that evening, as well as his pamphlet, would be sent, as many of them already had been sent, to our representative at Peru. He could not, therefore, see what good could come of examining those persons before any tribunal in this country; and, considering that the statements of the hon. Member were certainly opposed to all the Consular reports and the reports from our Minister on the subject, they were bound, in justice to our representative at Peru, to ask him what his opinion on those statements was. If our representative at Peru thought they were in the main correct—they would not quibble about words—Her Majesty's Government would most decidedly be in a position to do what they intended to do—namely, to lay the whole case before the Law Officers of the Crown, and ask them whether they thought the British Government had a case for demanding compensation on the part of the prisoners and their families for the sufferings which they had endured. That was what the Government were prepared to do, and he hoped the statement would be satisfactory to the House.

Sir HENRY JAMES said, this subject was one of such general interest that probably it was not necessary for him to state why he took some part in the debate; but he could not help saying that Mr. Sibley, the father of the unfortunate man the news of whose death had arrived by telegraph in this country yesterday, was a member of the legal profession; and some months ago he mentioned his son's unhappy position to him. He had been much struck with the moderation and earnestness with which that gentleman spoke of his son's case, and nobody could but sympathize with his natural anxiety as to how it would terminate. Since the lamentable event just announced that sympathy with him could only have been deepened. He also thought the Under Secretary for Foreign Affairs would admit that Mr. Sibley had not unjustly pressed the matter upon the

Foreign Office. When that debate commenced the primary object in all their minds must have been, if they could, to secure the release of the two men now undergoing imprisonment. If innocent, they ought to have been released long ago. He recollected the days when he and his hon. and learned Friend the Under Secretary for Foreign Affairs were students together, and when he was a distinguished member of the English Bar; and when he (Sir Henry James) heard him stating to-night the case against these men, he thought how much better he was than any Peruvian Attorney General would be. If the Representative of the English Government in this House could make out such a strong case against these men, they might be sure his arguments would be re-echoed in Peru. If the Under Secretary for Foreign Affairs had said that the facts of the shipment of this crew were such that the Peruvian Government were entitled *primâ facie* to an inquiry, everybody would have admitted it. What he could not understand was why his hon. Friend had constituted himself the advocate against these men. The Mover of the Resolution had quite accepted the proposition that the Peruvian authorities had a right to seize this vessel, and that they had a right to hold the men until they made inquiry as to whether the crew were innocent or guilty. And yet it was to justify that portion of the proceedings which was not attacked that the defence of the Peruvian Government and the case against those unfortunate men had been brought before the House that night by the Under Secretary. It was entirely in relation to matters subsequent to all that that the cause of complaint arose in that case. These men were arrested in the month of November, 1874. There was no step taken to vindicate the innocence of these men till November, 1875—an innocence not to be demonstrated by trial, but an innocence existing by admission of the Peruvian Government, and which must have existed from the beginning. What was the reason given for that delay? It was said the reason was we could not establish their innocence until the position of the vessel had been determined by the Prize Court. He should like to ask the Attorney General what the decision of the Prize Court had to do with reference to the position of the vessel with the guilt or innocence of these men? To accept that view would be to reduce the judgment of the Prize Court to an absurdity, because directly the Prize Court had adjudged the vessel a lawful prize the men would be discharged. He could understand that statement if the Prize Court had said that the vessel ought to be allowed to go free—that the innocence of the men might spring from the innocence of the vessel; but the guilt of the vessel being established, the Peruvian Government said they should allow these men to go free. There was cause of complaint, and grave cause, existing from the very first—namely, that for 12 months these men were detained for a proceeding that did not affect their innocence or guilt. The Under Secretary of State for Foreign Affairs assumed, and rightly assumed, that we should give due consideration to the execution of the municipal law in operation in foreign countries, and that foreign countries should be allowed to execute its own laws freely and fully towards its own subjects or foreigners. But that must be within ordinary limits. No country had a right out of its own mere arbitrary will to detain prisoners of another nationality beyond the time they would detain their own subjects under similar circumstances. Did not the Under Secretary feel that there had been undue detention in this case? The hon. Gentleman had mentioned the practice in this country of detaining persons awaiting their trial; but did he mean that there was any analogy to this case, where men were detained from November, 1874, to March, 1876, without, as far as he knew, any trial being even yet commenced? The Peruvian Government kept the men in custody 12 months without any very strong protest by Her Majesty's Government. His hon. Friend the Under Secretary for Foreign Affairs had taken so much care of the Peruvian Government that he described the imprisonment as one of which the men had no cause to complain. But he (Sir Henry James) found that the men were constantly complaining.

MR. BOURKE said, he merely read a despatch from Mr. March, in which he described the men's condition, and stated that they had nothing to complain of. He (Mr. Bourke) did not give any opinion himself. When Her Majesty's Government received that despatch they had every reason to believe the prisoners were well treated, and therefore they did not send a strong remonstrance at the time.

Sir HENRY JAMES said, that in a despatch, dated the 9th of August, 1875, Mr. Sibley wrote—

"As I before observed, the casements in which these men are confined are very gloomy, and have been unequivocally condemned by one of the principal Judges of Peru."

The Under Secretary for Foreign Affairs had not dealt with the case as a Representative of the British Government ought to have dealt with it. The point was that these men were confined in Peru still, and that the Peruvian Government had acted not only in an arbitrary manner, but that they had acted in a lawless manner, and in a way altogether unjustified by International Law. At a time when this vessel was under the British flag, if she was under any flag, the Peruvian Government, without having the right to say that she had been guilty of any unlawful act, took her for their own purposes—for the purposes of their war. If she had gone to the bottom, what would have been the result in relation to compensation to the owners? It was said they would in that case have looked to the Peruvian Government; but the Peruvian Government had made defaults in other things besides their law and the administration of justice. What would have been the result if his hon. Friend had had to appeal to the Peruvian Government on behalf of the owners of the vessel, if she had not been found guilty and condemned by the Prize Court of Peru? Not the slightest compensation would have been given to the owners. After the Peruvian Government had used the men and the vessel for the purposes of their war, they put the men in prison again. And how had the Government treated this protracted wrong? It might have been merely an omission upon their part; but whatever the cause, they had made no protest against it, and they had allowed these prisoners to be used for the purposes of the Peruvian Government one day and then used with harshness the next. He would ask the House to consider what would have happened if we had found some time ago an American filibuster on the coast of Ireland, had captured her, and kept American citizens, who might have been on board, for 18 months without a trial, had taken them to prison and then out of prison, to put them on board the vessel that they might be used either for purposes of trading or war? What would have been the consequence had we used them for our purposes, keeping them in compulsory service towards the Crown, and all that without a trial? He had no desire to see this case made one for passing censure upon the Government. He was disposed rather to say, let the past be forgotten. The question he would have dealt with was, What was to be done for the future for the safety of the men who survived; and what were they to do for the honour of the British flag? He was personally interested in the case of the unfortunate man whose death, which they had just heard of, was to be attributed to the delay that had taken place. They knew that if he had had that justice to which he was entitled he would not be lying dead within the walls of a Peruvian prison. As to the other men, he (Sir Henry James) would ask Her Majesty's Government whether the time had not arrived for them to demand justice for those men? The Peruvian Government had had ample time for their trial. They had not explained why, from November, 1874, to November, 1875, these men had not been brought to trial. They had refused to allow these men to establish their innocence, and they had refused to prosecute them and establish their guilt. Had not the time come now when Her Majesty's Government could bear the responsibility of saying on the part of the country that British subjects should not be detained without a fair trial; that they had given the Peruvian authorities full opportunity for carrying into effect their municipal law; that if they had neglected that opportunity the fault was theirs, and not ours; and that now we asked that those men, if not tried, should be released? The matter of obtaining compensation was a very small question compared with the importance of obtaining justice for these men in prison. Accepting fully the assurance of the Government that if still untried they should be liberated, he would ask his hon. Friend (Dr. Cameron) whether it would not be better to avoid taking a vote on the subject. They were seeking not to oppose the Government, but to strengthen it, and it would be sufficient to let it go forth that not only hon. Members who were friends of the prisoners were watching the action of the Government, but that a greater and broader circle of Members who were interested in defending the honour of the English flag would demand either that these men should be speedily brought to trial, or that they should be released.

MR. W. HOLMS ventured to think that in this case a great and flagrant injustice had been done to certain of Her Majesty's subjects, and some discredit had been brought on the British flag by what had occurred. His hon. Friend the Member for Glasgow had so fully detailed the circumstances connected with the subject that it would not be necessary for him to occupy the time of the House by giving any further particulars. A case of the strongest character had been made out, forcing upon the Government a double duty—first, so far as regarded the men in prison. They ought to have an immediate trial, or release; and as regarded 18 of the crew who had been released, it was the duty of the British Government to demand from the Peruvian Government redress for all the wrongs and injuries they had suffered. He had listened with some surprise to the statement which had been made by the Under Secretary of State for Foreign Affairs, that the responsibility as to what had happened must rest with the parties who had fitted out the *Talisman*. At all events, the men continued to be British subjects, and upon that ground alone, whether they were guilty or innocent, they were entitled to claim the protection of the British flag. Passing from the crew, he would ask what the Government had done, or proposed to do, with reference to the outrage on the British flag? While the vessel still retained the national character, it had been unlawfully seized by the Peruvians and used for the purpose of conveying troops from one place to another. He could not find that any steps had been taken to repair this outrage, and he was at a loss to understand the language used by the Under Secretary of State for Foreign Affairs, who had stated that he could not see what outrage had been committed by the Peruvian Government. That was exactly what he complained of—that Her Majesty's Government could not perceive that an outrage had been offered to the national honour. For his own part, he thought it was one of those cases with regard to which we were bound to ask for satisfaction. The Correspondence revealed that the policy of this country with reference to Peru had been a policy bordering almost on apathy. From the published despatches it appeared that the attention of Her Majesty's Government had from time to time been called to the state of things in Peru, and that Peru had treated our representations almost with contempt. Mr. St. John wrote to Lord Derby in November, 1875, calling attention to the case of the four men who were still in prison, and complaining that "the Peruvian Government treated with studied neglect any request made in the name of Her Majesty's Government;" this did not appear to have roused Lord Derby, while our Representative himself appeared to have been almost unduly anxious not to give offence to the Peruvian Government, and could only get the stereotyped reply that the case was under consideration. It was the general feeling of the people of this country that a British subject in a foreign country was protected by the British Government, and that the Foreign Office would insist on the law of the country being fairly administered towards him; but after these dealings with Peru the public would come to believe that a British subject could claim no protection from the Home Government. Where our countrymen were not protected the British flag would not be respected.

MR. GORST deprecated the tone adopted by the hon. Gentleman who had just spoken, and who, not content with advocating the cause of the prisoners, had thought it right to make a strong and direct attack on the policy of Her Majesty's Government. For himself, he should refrain from entering on dangerous topics; but he would say that so far as the case of these seamen was concerned they deserved, and had obtained, the greatest sympathy from both sides of the House. He thought it was the duty of every hon. Member who addressed the House on this occasion to make the interest of these men, who were still in confinement, the primary object of consideration. But that ought not to cause them to forget how these men came to be in such an unfortunate position. As soon as he had read the Papers on the subject he felt the greatest indignation that these poor men should, without suspicion on their parts, have been led into trouble and danger by persons who, when they despatched the ship from Cardiff, must have well known the unlawful nature and the perilous character of the enterprize. The Government had acted throughout with admirable judgment, especially considering the danger which was to be apprehended. It might be assumed that there was no fault to be found with the Peruvian Government up to the time of the capture of the ship. From that time it was admitted that the conduct of the Peruvian Government was highly culpable in not bringing these men to trial. This had been the subject of strong remonstrances, and it might lead to a claim for compensation. But what fault was to be found with Her Majesty's Government? Their conduct had been admirable, and, notwithstanding the suspicious character of the vessel and the excitement which existed in Peru, their diplomacy had been so successful that all the men except the captain and two mates were released without punishment of any kind. What ought to have been done that was not done? The hon. Member for Paisley said that the remonstrances ought to have been stronger; but if, instead of the matter being left in the hands of a wise diplomatist like Lord Derby, it had been under the direction of a man like the hon. Member for Paisley, all these men might have been kept in custody up to the present day. It had been said by the hon. and learned Member for Taunton (Sir Henry James) that the Foreign Office did not sufficiently resent the affront that was offered to the British flag; but he (Mr. Gorst) was by no means clear at present that at the time the ship was captured she had a right to fly the British flag at all, for she was in forcible possession of the insurgent forces, and her British crew were on board in the position of prisoners. It was hardly fair to bring such charges against Her Majesty's Government when, as he understood, they had given the House every assurance that everything that could be done should be done to secure the relief of these unfortunate men. Some hon. Gentlemen seemed to be unaware that the trial was now proceeding, and he doubted not that Her Majesty's Government would press their wishes that this trial should be carried on as speedily as possible. They had succeeded in obtaining the release of one portion of the crew; the trial of the other was now proceeding, and he suggested that the best thing which they could do was to leave the matter in the hands of Her Majesty's Government.

Mr. EVELYN ASHLEY remarked that from some observations of the Under Secretary for Foreign Affairs one might gather that it was considered sufficient by the Government of this country, and all they could require, that the subjects of the Queen of England should be treated equally and on the same footing as the subjects of foreign States. He (Mr. Ashley) demurred to that entirely. In a country like Peru, where our own Consul had said the law was practically a dead letter, and where the Judges were corrupt, a doctrine like that would expose our subjects travelling abroad for business or pleasure to arbitrary conduct, tyranny, and even torture. Just 26 years ago the House of Commons decided, after four nights' debate, that British citizens abroad were entitled to more effective protection than such a doctrine would afford. The Under Secretary himself, in his speech, had shown that it was impossible to secure justice by mere despatches and remonstrances, couched as they had been in very mild terms. He thought that, under the circumstances, if these despatches and remonstrances had been backed up by the presence of one of Her Majesty's gunboats, the matter would have been settled long ago. The Under Secretary for the Foreign Office virtually admitted this, for he said over and over again that he was astonished the question had not been brought before the House long ago; and yet, at the same time, he said that he could not discuss it because the men had not yet been brought to trial. Was not that an admission that more might have been done if our Government had adopted a vigorous course? If no satisfactory answer was returned to the hon. Gentleman's last telegram, he hoped another telegram would be sent, and perhaps something else. Perhaps the most important function of a British Government was the protection of Englishmen abroad. We could manage very well for ourselves at home, but the watchful eye and strong arm of our country were indispensable for safety when in barbarous countries.

MR. HERSCHELL said, he did not think there would be two opinions about the conduct of the agents who sent the *Talisman* to Peru, or that a single word was necessary in support of the view that the Peruvian Government had grounds for considering whether proceedings should not be taken against the officers and crew of the vessel. The question was, whether in this matter the Peruvian Government had really done what we had a right to insist that they should do. Perhaps from one point of view Her Majesty's Government might be said to have done all that they might have been expected to do, yet in matters of this kind it was the duty of the House to criticize the course they had pursued. It ought not to be said that the question was brought forward in a Party spirit. What he understood by that was when a Motion was brought forward for Party purposes. But here there was nothing of the kind. What were they sent there for if not to criticize the acts of the Government in a fair and impartial manner? There was, perhaps, naturally enough, an excess of caution on the part of the Government, and it was well to make them feel that in adopting a vigorous course of action in the present case they would be supported by the House and the country. With regard to the detention of the prisoners, there had, no doubt, been remonstrances on the part of the British Minister at Lima and the Government at home. But there must come a time when mere remonstrance must give way to something stronger; and if our Government went on protesting too often and doing nothing more, the Peruvian Government would treat our remonstrances with disdain. Had not the time now come when something more vigorous might be said, and when a more decided course of action should be plainly intimated? The Under Secretary for Foreign Affairs had, he thought, treated the question of illegality somewhat too lightly. He had admitted that an outrage against the principle of International Law had been committed; but was it enough to say that it had done no practical harm? If such language were held the Government would only tie its hands at some future time when practical harm had been done. The British Minister at Lima had called attention to this outrage. He said that this was a British ship under the British flag, and that there were British subjects on board who had been forced to work on a Peruvian man-of-war. That vessel might have gone into action; and suppose one of these British subjects, thus forced to serve, had fallen in that engagement, what would have been said of the case of a British subject who had been treated in that manner? And had not a violation of International Law been equally committed as if a disaster of that kind had happened? Such cases ought to be promptly dealt with, and so to have dealt with it, instead of waiting for a year, would have strengthened our position in any demand we might have to make upon the Peruvian Government. He trusted the Government would shape their course so as to afford to others who might be hereafter liable to such proceedings the greatest measure of safety. If the Government would act with vigour and follow the advice given them to-night, he believed they would receive a hearty support from both sides of the House.

THE ATTORNEY GENERAL said, the question which the House had temperately to consider was, whether Her Majesty's Government had, or had not, been guilty of any default in regard to the subject before the House. All who had read the Papers relating to this matter, and had heard the statement of the hon. Member for Glasgow (Dr. Cameron), would sincerely sympathize with the unhappy men who had been so long confined in prison, more especially in consequence of the catastrophe which had occurred since some of the men had arrived in this country. But he warned hon. Members not to let their hearts get into their heads, simply because they thought the case of these seamen a hard one. The hon. and learned Member for Taunton (Sir Henry James) referring to the speech of the Under Secretary for Foreign Affairs, observed that it was an extremely dangerous thing to deal with that question, and they ought to be extremely cautious as to what they said, lest peradventure they should prejudice the case of the unhappy men awaiting their trial. He quite agreed with that; but when they were considering whether the action of Her Majesty's Government in that matter was justifiable or not, they must, of necessity, ask themselves whether there existed any case for investigation into the conduct of the master, mates, and crew of that vessel. All that he understood the Under Secretary to say, pointing to particular facts which had been strongly alluded to by the Mover and Seconder of the Resolution, was that those facts afforded ground for inquiry by the tribunals of Peru. And if the Under Secretary was to be condemned for doing that, because it partook of the nature of advocacy, the hon. and learned Member for Taunton had certainly followed the same course. In discussing that subject they could hardly avoid touching on topics which might be used to the disadvantage of the accused; but that was surely not the fault of the Government, because the matter had been brought before the House—very properly, he admitted, by the hon. Member for Glasgow. He asked the House to deal calmly and dispassionately with this question, and not to come to the conclusion that they ought to send gunboats and iron-clads, and he knew not what, into the waters of Peru, because Peru was a weak and insignificant Power. A few gunboats and iron-clads might crush and ruin Peru; but it seemed to him that they ought to deal with that country exactly in the same way, on a question like this, as they would with any of the Great Powers of Europe. It was admitted that the conduct of those who had sent out the *Talisman* and controlled her movements was open to the severest condemnation. She went into the waters of Peru; a number of insurgents bent on overthrowing the Government of that country boarded her; he did not say that the master and crew were in the least guilty, but those who were in command of her undoubtedly committed a gross breach of the municipal law of Peru, and also acts of piracy in the waters of Peru. Nobody could doubt that after the evidence disclosed in the documents before the House, the master of the port on going on board was taken prisoner, and when the soldiers of Peru went, as they lawfully might do, in a boat to ascertain what the purposes of the vessel were, they were fired upon, and then the vessel absconded, taking the master of the port along with her. The vessel sailed some hundreds of miles south of Callao, and there landed the insurgents, who got up into the country and raised a rebellion which led to great disorder and bloodshed, when down came a Peruvian man-of-war and took her *flagrante delicto.* If a vessel went into the Thames and committed such outrages, should we have said that there was no case for inquiry, no case for her condemnation, or for the conviction of her officers and crew, if they were guilty? It was not for this country to judge of the innocence or the guilt of persons who were accused of breaking the municipal law of a foreign country. It was a question solely for the tribunals of that foreign country to decide. Well, the vessel was seized and the men were imprisoned. There were several complaints on the part of the hon. Member for Glasgow—the seizure of the ship, the employment of the ship by the Governor, and the imprisonment of the crew. The Under Secretary for Foreign Affairs had admitted from the beginning, in the most open, candid, and express manner, that the use of the vessel by the Peruvian Government was illegal, and ought to have been remonstrated against; but Her Majesty's Government had remonstrated against that act in the strongest terms. As regarded the crew, they had been sent on board the *Huascar* because it would have been absurd to have sent them in their own ship with a prize crew weaker than themselves, whom they might easily have overpowered and have thus regained possession of the vessel. True it was that some of the crew had been put into the Pervian uniform, and that on this point also an irregularity had been committed; but here, again, Her Majesty's Government had remonstrated against the act in the strongest terms. He must ask the House, whether it would have been wiser at that particular time for Her Majesty's Government to have pressed the point more strongly than they did against the Peruvian Government, and thus, perhaps, have given rise to considerable irritation on their part. Depend upon it that the crew had lived far happier and more healthy lives on board the Peruvian man-of-war and on board the *Talisman* than they would have done had they been confined in the gloomy casemates of Callao. Was Her Majesty's Government to send, as had been suggested by an hon. Member opposite (Mr. Evelyn Ashley), a couple of gunboats, and to bombard Callao because this illegality had been committed? Had they done so it might have recalled to the minds of the Peruvian authorities that a gross and grievous outrage had possibly been committed by British subjects against the Peruvian municipal law, and, in his opinion, Her Majesty's Government acted wisely in handling this difficult subject with some delicacy. If these men had been hurried on to an instant trial, might there not have been a great chance that the verdict would almost inevitably have been against them? Now as to the real and substantial ground of complaint. It was true that these men, instead of being tried expeditiously, were kept in disagreeable confinement for 12 months or more. The question was, whether the delay was such a delay as to give to the Government the right not only to remonstrate, but to claim compensation or to exact some reparation by force from the Peruvian Government? Was the delay a matter for which the Government of Peru were responsible, or was it a matter for which the tribunals were responsible? If it was the tribunals, Her Majesty's Government could not make out any claim for compensation. The tribunals came to the conclusion that they could not proceed with the trial of these men who were found on board the *Talisman* until the condemnation of the *Talisman* had been established. The hon. and learned Member for Taunton said that he could not understand that. But the Attorney General for Peru said this was the law of Peru, and the law of France also, and the Minister for Peru said this was the reason why the trial did not proceed. If the tribunals were right in delaying the trial of the men till the decision as to the condemnation of the vessel itself, we had no ground of complaint. When the vessel was condemned the case of the men was investigated, and it was found that the crew were not implicated, but that it was otherwise as regarded the captain and mate. The tribunals might have been wrong in coming to this conclusion; but, even if this were so, the Executive Government were not responsible for the errors of the tribunal. In support of this proposition, he would quote a high authority, that of the Lord Chief Justice of England, who, in the course of the celebrated Arbitration at Geneva, said that as regarded any miscarriage of justice in matters within the sphere of municipal law, it was utterly out of the question to suppose that a Government, having done what in it lay, as by seizing a vessel and bringing it properly before the Courts, could be held liable because, through some mistake or accident, justice might have been evaded. In this case, also, if the fault lay with the Peruvian tribunals, the Executive Government were not responsible. It might be that the long delay was the result of the action of the tribunals, or the result of some action of the Executive. But what had Her Majesty's Government done? They had remonstrated strongly, and through their remonstrances 18 of the crew had been released, though the captain and one of the mates remained for trial. The remonstrance of the Government had continued, and it had increased in strength as time had advanced, and the time, he should think, had come when the remonstrance might assume some definite shape. There could be no reason for more delay under the municipal law, because the vessel had been condemned. He would call attention once more to the despatch sent out by the Secretary of State on the 18th of this month—

> "Her Majesty's Government cannot consent to the trial of the *Talisman* prisoners being indefinitely delayed. I have therefore to instruct you to insist upon their immediate trial, failing which Her Majesty's Government will be compelled to demand their immediate release."

Thus, if there was further delay, the release of the prisoners would be demanded, tried or untried. We must remember that in Peru, as in some other countries, the trial of criminals was not conducted in the same way as it was conducted here. Evidence was taken by depositions, which was in itself a cause of delay; but, in case of further delay, the unconditional release of the prisoners would be demanded; and if the Secretary of State demanded their release, and that command was not complied with, steps would no doubt be taken to enforce it. It was a matter of pain, perplexity, and difficulty, requiring the most careful and delicate handling in order to prevent these unfortunate men from being involved in ruin. There was no advantage to be gained in the appointment of a Committee. The Government knew all the facts, and if they did not act let them then be blamed.

Mr. W. E. FORSTER said, that the hon. Member for Glasgow (Dr. Cameron) had made out a good case. There was no doubt that the persons who sent out this ship had committed a grave breach of International Law, and they would probably escape punishment. But there was also no doubt that in consequence of their crime innocent British subjects had greatly suffered. He would not enter into the position of the two men now awaiting their trial; but he must say he was sorry for one or two remarks that had been made by the Attorney General, which would be telegraphed to the place where the trial would be held, and he believed it had not yet begun. [Mr. Bourke: Yes, it has.] He (Mr. W. E. Forster) believed the process had, but not the trial. He understood that the Attorney General had forgotten, no doubt from pure accident, to state that the acts complained of were committed when the ship had been taken possession of by men who were not British subjects, and that it was not the captain, nor the engineer, nor the crew that took possession of the vessel by force. The British Government had a strong case for demanding the immediate trial of these men, and he was glad that a telegram had been sent to that effect. His only surprise was that it had not been sent weeks, or even months, previously. The learned Attorney General had made one or two remarks with respect to the delay of justice which in the case of countries like Peru would be rather dangerous doctrine. The hon. and learned Gentleman had said that there was no cause of complaint, however long the delay might be in bringing the accused to trial. But if, in the course of what in Peru they called justice, but which we called injustice, British subjects were not brought to trial within a somewhat reasonable time, we should have great cause of complaint. And no one who had read the Papers could say that this was the first instance. The Government, however, were now doing their best. With respect to the persons who had been kept in prison for so many months and then liberated, there was a strong case for compensation. They had been released without trial because the Peruvian Government did not think they had a case against them, and that was a good ground for seeking compensation. The learned Attorney General had rather gone out of his way to justify the Peruvian Government for having taken these men out of prison and forced them to man one of their men-of-war and render service without pay. But the hon. and learned Gentleman ought first to have ascertained his facts. The chief thing the House had now to consider was that two British subjects were now awaiting their trial who had been taken out of prison for a time and made to work for the convenience of the Peruvian authorities. He might be mistaken; but as far as he knew no protest had been made by our Minister at Peru with respect to the forced impressment of the sailors. The Government had not merely to consider those two men now in prison, and the compensation due to the crew, but also the situation in future of other British subjects in Peru and similar countries. The Government ought to make a strong protest whenever International Law was clearly broken, as in this case, in order to prevent such outrages for the future. The hon. and learned Gentleman was right in saying that we ought not to act arbitrarily and despotically towards weak Powers; but in this case it was the weak State that was exercising despotic power over us. It was just because it was weak that it did so; for they all felt that it would be undignified to send our men-of-war to take steps to vindicate our rights. The hon. and learned Gentleman asked what we would do in such a case, and his reply was that no Power in Europe would have treated our subjects as Peru had done. No doubt our Minister at Peru had a difficult task in dealing with the Government there, and it at first appeared to him (Mr. W. E. Forster) that he had been too quickly satisfied that the prison was not too bad; but when he came to read through the Papers he found that bad as the prison in question was it was not half so bad as some others. The English Minister at Peru, therefore, should not be judged too hardly. It would be the duty of the Government to take advantage of the present event; and—having obtained justice for the two prisoners and the crew—they ought to inform Peru that she could not be permitted, with impunity, to outrage International Law with respect to English subjects. ["Divide!"] An hon. Member cried "Divide;" but he (Mr. W. E. Forster) hoped the House would not divide. He did not think that a Committee of the House sitting on the conduct of a foreign Government would be the most satisfactory tribunal for considering this question; but, above all, when they knew what the result of a division would be, he did not think there would be any advantage in having a telegram sent to Peru stating that the subject had been brought forward in the House of Commons with great ability, and that they had decided against the Motion. He therefore hoped his hon. Friend would be satisfied with the strong support the Motion had received and the assurance that the Government would do their utmost to obtain justice for these men.

THE CHANCELLOR OF THE EXCHEQUER entirely concurred in the observations with which the right hon. Gentleman had closed his speech—for this reason, that in this case there really was a universal agreement in two or three leading points. It was generally agreed that the conduct of those who manned and sent the *Talisman* on her voyage was entirely blameable, and that the Peruvian Government were in their right in capturing the ship and proceeding with the trial of those who were found on board; but, on the other hand, it was conceded that the Peruvian Government had not shown that rapidity in commencing and proceeding with the trial which ought to have marked their conduct. It must also be admitted that Her Majesty's Government had put the strongest pressure upon the Peruvian Government in reference to the matter, for a telegram had been received at the Foreign Office from Lima, under date Wednesday last, in which it was stated that "the trial of the *Talisman* officers continues—first mate killed by fellow-prisoner." He had no doubt that a despatch was on its way from which it would be made clear that the trial was proceeding. If, however, it should prove not to be so, his noble Friend the Secretary of State for Foreign Affairs would know what to do. However wrong might have been the conduct of the men now undergoing or awaiting their trial, it was their manifest right to be brought to trial, and Her Majesty's Government would see to it that this was done. He hoped the hon. Member for Glasgow would see fit not to proceed to a division on the Motion which he had made. The discussion which had arisen would strengthen the hands of the Government, but a division would probably be misunderstood abroad, and could not possibly improve the position of the men to whom the Motion referred. Before he sat down he wished to notice an inadvertent misrepresentation of something which fell from the Under Secretary. The hon. Member for Poole (Mr. Evelyn Ashley) said that his hon. Friend's remark was—"That it would be quite sufficient if British subjects in these cases were treated as foreigners were treated," and the hon. Gentleman very properly protested against such a canon. But that was not the doctrine laid down by his hon. Friend—it was, in fact, the converse of it. What he (Mr. Bourke) said was that—"We had good cause of complaint against Peru for having treated British subjects worse than her own subjects, and that she was at the least bound to do as much for them as for her own subjects." The hon. Gentleman's remarks, however good in themselves, were therefore beside the mark so far as his hon. Friend was concerned. An inquiry before a Committee might furnish the Peruvian Government with an excuse for further delay, and it would be difficult to conduct such an inquiry so as to make it yield any practical fruit. He hoped, therefore, the hon. Gentleman would not press his Motion to a division, which might be open to misconstruction.

MR. GLADSTONE said, he thought that there was a great deal of force in the objection that had been urged by the Chancellor of the Exchequer against the appointment of a Committee to inquire into this subject, because it was not only a tardy tribunal, but its appointment might present to the Peruvian Government a fallacious idea of the real state of feeling prevailing in this country on this question, and might supply them with an excuse for further delay in a matter in which there had already been too much delay. At the same time, however, he wished to urge upon Her Majesty's Government the justice and equity of the proposition contained in the Motion. It must be admitted on all hands that Her Majesty's Government, in dealing with the Government of Peru, had laboured under considerable disadvantage in consequence of the illegal course that had been taken by the *Talis-*

man. The effect of that admission, however, could not be allowed to be carried beyond a certain point. There was, also, to be taken into consideration the natural repugnance that Englishmen felt against using force towards a weak country; but here again we must not permit that feeling to carry us too far, because, as Lord Palmerston had remarked, sometimes countries presumed upon their weakness to do most unjustifiable acts, in the hope that they would be regarded as too insignificant for punishment. Much reliance had been placed by the Attorney General on the *dictum* of Lord Chief Justice Cockburn, uttered in the course of the Arbitration at Geneva—that when once a question had been referred to the tribunals of a country the Executive Government stood completely discharged from all duty in respect of it to any foreign nation. He was not willing to allow that the mere reference of a matter to the legal tribunals of a country acquitted that country in the face of a foreign Power. It was perfectly possible that from some deficiency in organization, or from open corruption, such tribunals might be most unworthy of confidence; and, in his opinion, it was not unfair to hold that before a country could claim the benefit of International Law on that ground, it must show that it had brought up its own organization, both Executive and judicial, to the ordinary level which International Law required. It must further be recollected that this *dictum* of the Lord Chief Justice was not strictly judicial in its character, his Lordship sitting as an arbitrator on the part of this country; and, moreover, the majority of the Arbitrators did not adopt the view of the law it laid down, and, in fact, decided the other way. We had a right to expect that in this matter some regard should be had to the general principles of justice, and that the conditions of International Law should be complied with. He did not say that the Government had done wrong in going to the extreme limits of patience under the circumstances of the case; but the time had come when their language ought to be both intelligible and firm, and when the Power with which we were dealing ought not to be allowed any longer to suppose, if it had supposed, that by virtue of its weakness it would be enabled to escape its obligations.

Mr. MACGREGOR said, that he was acquainted with the relatives of the man whose murder had been announced to the House, and he hoped, at all events, that steps would be taken by the Government to prevent the assassination of his comrades. It was impossible to say how far the Peruvian authorities were concerned in placing that man in the company of murderers. He hoped the Motion would not be pressed to a division, as he believed that in this matter the Government would do everything that was right on the part of British statesmen.

Mr. PARNELL said, he was surprised at the action of the Government in this matter, considering that last year they pushed through the House a Bill depriving Her Majesty's subjects in Ireland—[" Oh, oh ! "]—depriving Her Majesty's subjects in Ireland—[" Order ! "]—depriving Her Majesty's subjects of the right of trial in certain counties in Ireland. [" Question ! "] As the House would not listen to him, he begged to move the Adjournment of the Debate.

Captain NOLAN pointed out that this debate had lasted for four hours and a-half, and although there were 100 Irish Members present in the House, as far as he knew not one of them had yet spoken on this question. [*Laughter.*] Yes, up to that moment not one had spoken, for he thought the hon. Member for Meath (Mr. Parnell) could hardly be said to have spoken, owing to the noisy interruptions of hon. Gentlemen on the Government side of the House, who were always tolerably noisy whether on that side or the other. The debate had lasted for four hours and a-half, and yet the hon. Member for Meath was not allowed to be on his legs two minutes and a-half. He (Captain Nolan) could not say that he agreed with what the hon. Member meant to have said—[*Laughter*]—from what he could make out that he intended to say, for, owing to the noise of hon. Gentlemen opposite, he could only catch a few words of what he did say. The hon. Member had a right to be heard, and he was not listened to. Now, he had a right to claim to be heard at some future stage. If the debate was not adjourned, he hoped the House would go on dividing.

Mr. O'CONNOR POWER said, the Motion for adjournment was owing to the unreasoning clamour of hon. Gentlemen opposite. If the hon. Member for Meath were allowed to proceed with his argument, he would probably have shown that the Government did not approach the discussion of this subject with a clear conscience, for they had been guilty of detaining without any warrant American citizens in Irish prisons, and therefore he could sympathize with Her Majesty's Government in the temerity with which they approached this question. He should support his hon. Friend, and ask him to press his Motion for adjournment.

DR. CAMERON availed himself of the opportunity afforded by the Motion for adjournment to make a brief reply. His case was, he said, that the men who had been finally released as innocent had been subjected to a prolonged and barbarous imprisonment in direct violation of the Peruvian law and Constitution, and that case neither the Under Secretary for Foreign Affairs nor the Attorney General had attempted to break down. As for the men who were still retained in prison, his case was that the time for any trial of these men had now elapsed. The Peruvian Government, by keeping them for 16 months in prison without trial, had lost the right of bringing them to trial at all. The Consul at Callao had explicitly pointed out, in the despatches which had been laid before the House, that by the Treaty obligations of Peru with the United States they had no right to imprison a citizen of that country for more than 24 hours without commencing proceedings against him; and that we being in the position of the most favoured nations were entitled to the same protection for British subjects. He had no belief in the fairness of a trial forced upon Peru at the point of the bayonet, and he did not think the prisoners would obtain anything like fair play if tried under such circumstances. The Under Secretary for Foreign Affairs had said that although he (Dr. Cameron) had alleged that all the native political prisoners concerned in the attempted revolution had been long since amnestied, he had brought forward no proof in support of that statement. He replied that, independently of the statements of the *Talisman* crew, he had forwarded an extract to that effect from a Peruvian newspaper, in a letter which he had addressed to Lord Derby on the subject, in October last, and which he complained had not been included among the Papers laid before Parliament. He congratulated the Government upon their new-born vigour in this case; but pointed out that it had only been manifested since his Notice appeared on the Paper. If the Government would pledge themselves to ascertain the real state of Peru's Treaty obligations towards Britain, and if—should they find that Consul March was justified in alleging that under those Treaty obligations the detention of the captain and mate for so long a period without trial was illegal—the Under Secretary for Foreign Affairs would promise to insist on their release he would withdraw his Motion. If Government would undertake to ascertain whether it was a fact, as he alleged, that all the Peruvian insurgents had been amnestied eight months ago, and if they found this to be the case, if they would pledge themselves to insist upon the release of the men now in prison, then he would withdraw his Motion. But, as he understood the offer of the Under Secretary for Foreign Affairs, it merely was to send out the sworn depositions of the crew of the *Talisman* now in this country to our Consul and Minister in Peru. To do so would, he believed, simply lead to a bandying of contradictions and denials on side issues, and thus perhaps to the wasting other six or 12 months in inconclusive correspondence, while the men were allowed to linger in prison. If this were all the promise the Government would give, he must reluctantly proceed to a division; especially as, notwithstanding all that had been said upon the point, he confessed he could not see that an adverse division could make the case of the prisoners any worse than it was, as they were now treated with the same severity as though they had been convicted, like many of their prison companions, of murder as well as piracy.

MR. BUTT recommended his hon. Friend (Mr. Parnell) not to press his Motion for adjournment. It was not fair to the hon. Member for Glasgow to propose an adjournment on such a serious proposition, and if it were pressed he (Mr. Butt) should be obliged to vote against it.

MR. PARNELL said, he would adopt the suggestion of the hon. and learned

Gentleman. He need not assure him there was no one in that House whose opinion he valued more highly. He did not in the slightest degree ["Order!"]

Mr. SPEAKER said, the hon. Member was not entitled to make a second speech on the Motion for adjournment. If he desired to withdraw his Motion, the House would probably grant him indulgence.

Mr. W. E. FORSTER said, he could not help thinking that the Motion for adjournment would be a good end to the debate. The subject had been thoroughly discussed. If the Motion were to be defeated—as he believed it would be—it might do great harm. He thought the hon. Member for Meath had rather got them out of a difficulty.

The CHANCELLOR of the EXCHEQUER said, he thought the hon. Member for Meath was a little hard on the House, because when he began, though his observations were met by a little noise, if he had proceeded he would in a short time have obtained the attention of the House.

Mr. ANDERSON considered it advisable, under the circumstances, not to divide on the adjournment or the Main Question. Such a division would be very apt to be misunderstood. If they adjourned without a division it would be practically shelving the question, for a considerable time at any rate, and by that time they might get some further information.

Debate *adjourned* till *Tuesday* next.

OPEN SPACES (METROPOLITAN DISTRICT) BILL.—[Bill 86.]

(*Mr. Whalley, Sir George Bowyer.*)

COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

Sir CHARLES W. DILKE moved that the Chairman should leave the Chair. He, in conjunction with other London Members, had come to the conclusion that the Bill was perfectly and entirely useless, and therefore he did not see the good of proceeding with it. The Bill, in fact, would not change the present law.

Motion made, and Question proposed, "That the Chairman do now leave the Chair."—(*Sir Charles W. Dilke.*)

Sir WILLIAM FRASER thought some explanation of the object of the Bill should be given.

Mr. WHALLEY defended the Bill, the object of which was to throw open to the public certain spaces in the metropolis, subject to the consent of the proprietors.

Mr. ASSHETON CROSS suggested to the hon. Member the propriety of postponing the matter for a week, so that the subject might be considered and the Chairman of the Metropolitan Board of Works might be present.

Mr. GOLDSMID expressed a strong opinion that it was very undesirable to put innocuous measures on the Statute Book.

Question put.

The Committee *divided:*—Ayes 45; Noes 29: Majority 16.

[*No Report.*]

CONSOLIDATED FUND (£10,029,550 5s 1*d.*) BILL.

Resolutions [March 20] *reported*, and *agreed to*:—Bill *ordered* to be brought in by Mr. Raikes, Mr. Chancellor of the Exchequer, and Mr. William Henry Smith.

Bill *presented*, and read the first time.

House adjourned at half after One o'clock.

HOUSE OF COMMONS,

Wednesday, 22nd March, 1876.

MINUTES.]—Public Bills—*Second Reading*—Coast and Deep Sea Fisheries (Ireland) * [9], *put off;* House Occupiers Disqualification Removal * [29], *debate adjourned;* Consolidated Fund (£10,029,550 5*s.* 1*d.*) *.

Third Reading—Sea Insurances (Stamping of Policies) * [93], and *passed.*

COAST AND DEEP SEA FISHERIES (IRELAND) BILL.—[Bill 9.]

(*Dr. Ward, Mr. Butt, Mr. Collins, Sir Joseph M'Kenna.*)

SECOND READING.

Order for Second Reading read.

Dr. WARD, in rising to move that the Bill be now read the second time, said:

I rise with much diffidence to introduce this Bill to the notice of the House. The measure deals with a subject which has often occupied the attention of the House—namely, an enormous industry complicated in its details, and very much contested in regard to some of the modes which have been put forward for its relief. It has been the misfortune of this industry to have shared, with all other industries of Ireland, a very great decline for many years, and it has been more unfortunate than those other industries, because while they have been checked in their decline, this has been rapidly and steadily going down. In order to bring before the House clearly the reasons why this great industry, and the large population connected with it, are thus going down, thereby causing a mighty loss to the country, both in national wealth and in population, I must go rather carefully into the history of this question. I confess I must apologize beforehand to the House for entering with very considerable detail into what may be called in some sense the remote history of the Irish fisheries, in order to put clearly before you the causes and the real remedies for this great national evil. I will not trouble the House to go back to the very early time of the Irish fisheries before the Union, although I might fairly do so, because previous to that period this industry had fared very badly, indeed, at the hands of the ruling power, and there was a systematic crushing out of the Irish fishermen in the interests of the British fishermen. This was carried on for centuries, and the fact must be borne in mind, because if you systematically crush down the industry of one people and foster the industry of another poeple, you cannot expect them to start on the same level at this day. I shall turn now to the period of our later connection with England, dating since the Union—a period when, according to all accounts, we were to get all the material blessings which the Imperial Government could confer. From almost the very first day of the founding of the Imperial Parliament to the present hour the question of the Irish fisheries has been agitated in this House or by Committees of this House. As early as the year 1804 a Bill was introduced into this House in reference to the Irish fisheries. It was an extremely simple one, but its history is very remarkable, inasmuch as it indicates the policy subsequently pursued, and pursued to the injury and almost the ruin of the Irish fisheries. The then Member for Wexford asked the House to incorporate a company in order to enable them to fish on the Irish coast. That was apparently a very simple Bill; but when it came before the House an agitation was got up in all the fishing ports of England. In consequence of that agitation, and in obedience to it, the Bill was sacrificed. This was the very thing that took place before the Union. Whenever the Irish fisheries were likely to become successful, an agitation was got up in England, and the Irish fisheries were put down for the benefit of the English fishermen. Even after the Union we find the same thing occurring time after time. When something was tried to be effected, sometimes even by Government, the jealousy of the English and Scotch fishermen stepped in and crushed out any benefit that was designed. I do not blame the English or Scotch fishermen—it was a very natural course for them to take—but I do blame the Legislature, which ought to have been impartial to the three countries, and which all along had proved itself to be most partial. In 1809 we find organized a system, called the bounty system, for England and Scotland—a system which, on the whole, did considerable service. It was, however, a system which we would not ask for now; but it suited the then condition of the industry. In 1809 there was passed an Act providing bounties for the English and Scotch fisheries, but it was not until 10 years later that a similar Act was passed for Ireland. The bounty system established for Ireland in 1819, as well as that established for England and Scotland in 1809, was abolished in 1830. Thus, while the English and Scotch fishermen enjoyed the benefits of the system for 20 years, the Irish fishermen had them for only 10. These bounties have been objected to by some. In fact, their distribution, like the distribution of several public funds at that day, was not always what it ought to have been; but nevertheless the system conferred great benefits. Indeed, it was enormously useful in Ireland, although it was only continued for 10 years in that country. In 1821, only two years after the establishment of the system, the vessels engaged in the Irish fisheries numbered 4,889, and the number of men employed was 21,422; whereas in 1829, after eight years' trial of the system, the number of boats had increased to 12,611, and the number of men to 63,421. However, in the year 1830, in spite of the strongest representations of the Commissioners, all State aid was withdrawn from the Irish fisheries. This was grossly unfair; for not only had the British fisheries been fostered for a long time by the repressing and ruining of the Irish fisheries, but they had been receiving a large direct State aid for twice as long a period as the Irish. To illustrate this injustice, let us compare the case of Ireland to that of Scotland. The latter country, with a more limited sea-coast and a smaller population, received from 1809 to 1819 £1,179,000, while Ireland for the same period got only £330,000. But this is not all. The Irish Board of Commissioners was dissolved, and the care of the fisheries given over to a body with no practical powers or funds for their promotion. At the same time the Scotch Board was continued in full operation, with an income of £15,000 a-year to carry out useful regulations; to build piers and harbours, to repair the boats of the poorer fishermen, and to give an increased value to the cured fish by means of a brand. That brand exists to the present day, and has conferred the greatest benefits on the Scotch fisheries. Indeed, it is a Board similar to that which by this Bill we now ask to establish for Ireland, after more than 40 years of neglect and consequent decay. I have called the attention of the House to this early condition of things because, without a knowledge of them, it would be impossible to understand clearly the subsequent course of events and the principles upon which we now ask for legislation. Up to 1830 we have seen that the course pursued towards the Irish fisheries was one of repression and injustice from that day to this. We shall see that it is one of neglect, necessarily followed by decay and almost complete ruin. The course pursued from 1830 to this day by the Legislature and by successive Governments has been very simple, and very characteristic of the treatment which Irish wants—more especially Irish material wants—have met with at the hands of the Imperial Parliament when legislation was asked for. When the decaying condition of the Irish fisheries was brought before Parliament, Commissioners and Committees were nominated and directed to inquire and make Reports. Inspectors were appointed, and directed to inspect and make Reports; Reports were made, voluminous Blue Books were laid before the House, but nothing was done. Nothing was done, though there was a marked uniformity in the Reports and recommendations made to Parliament. Although all the Reports agreed that the fisheries were going to ruin; although all pointed out the same remedies, still nothing was done. When, in 1835, it was shown that there was a falling off in the fisheries in consequence of the withdrawal of the bounty, a Commission was appointed. This Commission reported on the decaying condition of the fisheries, and recommended the very provisions which we ask the House to provide by this Bill—namely, the appointment of Commissioners with powers to regulate piers, fishing, curing houses, branding, and of granting loans to fishermen. So clear was the case made out by the Commission, that their recommendations were embodied in a Bill brought in by the then Chief Secretary for Ireland. The fate of that measure may be instructive for some of those who maintain that the treatment of Ireland by the Imperial Parliament has been the same as that of the sister countries. This Bill was brought in by the Government, and after the usual Petitions against it from Scotland, and an influential deputation from that country, quietly shelved. From that time to this no Government has had the leisure, or perhaps the inclination, to take up the question, and the Irish fisheries have been quietly allowed to go to ruin. It is true that there have since been debates, Committees, Inspectors, and Reports. It is further true that by all these the provisions of the Bill of 1838 have been pressed on the Legislature; but it is also true that nothing has been done. In 1842 a Bill was passed as to some minor regulations, but it offered no relief, and effected none. In 1846 came the Famine, and found a large fishing population, now long neglected by the Legislature, and consequently ill-cared for and ill-provided. The poor fishermen, as was to be expected, suffered fearfully from that awful calamity, and as the Commission of 1866 for the fisheries of the United Kingdom state, "has not yet recovered from the depression and ruin" of that terrible time. If ever there was a time for a wise and just Government to step in and to save a most valuable industry from annihilation, and a large industrious population from ruin, it surely was then. According to the Report of the Board of Works issued in 1849 "no branch of the industrial resources of Ireland suffered more severely than the fisheries." And what was done by the Government for their relief and preservation? The establishment of a few curing houses by a charitable fund——the Reproductive Loan Fund. What wonder is it that such conduct on the part of the Government should have driven some of the best men in the country into open revolt? Such conduct was more than sufficient to condemn any Government and any system of government under which it occurred. The movement of 1848 having been put down, a Select Committee was appointed by this House in 1849 to inquire into the condition of the Irish fisheries. That there was need of inquiry, and much more than inquiry, we can see from the following statistics:—In the year 1846 no fewer than 19,883 vessels and boats were engaged in the fisheries, and 113,073 men and boys; whereas in 1849 the numbers had diminished to 18,100 vessels and boats, and 71,505 men and boys, showing a decrease of 1,783 vessels and boats, and 41,568 men and boys. The Committee reported to the House that there was a want of proper funds and of effective machinery in the way of managing Commissioners' curing houses. Hon. Members will hardly credit the assertion that, in the face of this recommendation, and of the fearful decline of the fisheries, nothing was done. Committees might report as they liked, but Government and Parliament left the unfortunate famine-stricken fishermen to perish as they might. Things went on as was to be expected. The fishermen daily dwindled in numbers, and we find in 1852 the following condition of things:—Vessels and boats, 11,789, and 58,863 men and boys; against, in 1849, 18,100 boats and 71,505 men and boys; showing a decrease of 6,311 boats and 12,742 men and boys. Surely, in the face of such awful decline as that, it might have been expected that Parliament would now step in if it only knew of the facts, and had an opportunity given for legislation. An opportunity was actually afforded, and the facts were laid before the House in 1852 by the hon. Member for Donegal. The hon. Member proposed the usual remedies—State aid and organization. Nothing was done. The fisheries went on still declining, and the fishermen lessening in numbers. This state of things went on until 1866, when Mr. Blake, Member for Waterford, introduced the question again to the notice of the House, introducing a Bill in several main respects similar to the present one, and to those which had preceded it. A glance at the statistics of the fisheries at this period will be again instructive. In 1866 there were 9,444 boats and 40,663 men and boys; but in 1852 the number had amounted to 11,789 boats and 58,863 men and boys, showing a decrease of 2,335 boats and 18,200 men and boys. Thus the total decrease since the year 1846 had been 10,439 boats and 72,410 men and boys. Parliament could surely no longer allow this state of things to continue. The Bill was put off until the following year, and then referred to a Select Committee. The Committee reported, as all previous Committees had done, as to the decline of the fisheries, and the only remedies that would be effectual. These very recommendations, so similar to those of former Committees, are embodied. Notwithstanding the continued and rapid decline of the fisheries—notwithstanding that the chief objections urged against these recommendations in the name of political economy have been completely swept away in this House by Mr. John Stuart Mill, still they were practically allowed to become a dead letter. It may not be out of place here to recall to the House the principles laid down by Mr. Mill in a debate on this question in the House. He said the main objection of his hon. Friend who had just sat down to the granting of loans to the Irish fishermen was, that if that were done for Ireland it should be done for Scotland and England. His answer was, that Ireland was a more backward country than either Scotland or England. Government might very properly undertake to do things for a country which was industriously backward, which no one could expect from them in the case of a country which was in a more advanced and prosperous condition. This consideration was of all the more weight when it was remembered that the industrial backwardness of Ireland was in a great measure attributable to the past legislation of this country. For a long period English legislators, without distinction of Party, employed themselves in crushing this and most other branches of Irish enterprize. It was, therefore, incumbent on them, now that they were wise and able to look upon their past conduct with shame, to legislate in an opposite direction, and to risk, if necessary, the loss of small sums to advance that industry which they had formerly endeavoured to retard. Notwithstanding the principles here laid down, the recommendations of the Committee of 1867 were not carried into effect, and the fisheries were once more allowed to pursue their downward course unheeded and uncared for. In 1869 three Inspectors of Fisheries were appointed to look after inland and sea fisheries and report, with powers to inspect and report on the sea fisheries. The Inspectors, however, got no real power to regulate, and no power at all to aid, the sea fisheries. The result, of course, has been no arrest in the decline of the fisheries. It will be well to glance at the state of these fisheries in 1870, so that we may be able to judge the real value of appointing Inspectors merely to inspect and report. In 1866 there were 9,444 vessels and boats engaged in the Irish fisheries and 40,663 men and boys, as against 9,099 vessels and boats and 38,650 men and boys employed in 1870. These figures show a decrease of 345 vessels and boats and 2,013 men and boys. Surely that number is low enough; but if we look to the year 1872 we find a still more rapid reduction. In 1870 there were 9,099 vessels and boats and 38,650 men and boys, but in 1872 there were only 7,914 vessels and boats, and 31,311 men and boys; the decrease being 1,175 vessels and boats, and 7,339 men and boys. Matters are now rapidly going from bad to worse. The Inspectors are powerless except to report, which they have done year after year to the House, always pointing out the rapid decline, and always suggesting the old remedies of State aid and organization. All was in vain. In 1873 the 7,914 vessels and boats, and the 31,311 men and boys we had in 1872, had dwindled down to 7,181 vessels and boats, and 29,307 men and boys. In 1874 matters had become still worse, for while there was a slight increase in the vessels and boats, the men and boys had fallen to 26,924. At length, in 1874, the vessels and the men had decreased from what they were in 1846 in this wise—in 1846 the number of vessels and boats employed in the fisheries was 19,883, and the number of men and boys 113,073; but in 1874 the numbers were 7,241 vessels and boats, and 26,924 men and boys; there thus being a decrease of 12,642 vessels and boats, and 86,149 men and boys. In other words, the vessels had decreased to nearly one-third, and boys to nearly one-fourth. When things had come to this pass, the House had decided, by a majority against the Government, that something should be done, and the right hon. Baronet the Chief Secretary for Ireland brought in and passed the Irish Reproductive Loan Bill, for the granting in some districts of loans to fishermen. Credit is, undoubtedly, due to the right hon. Baronet for bringing in and passing that Bill. It was not his fault, if it proved totally inadequate to the purpose. While it did not touch the all-important matters of management, curing, and branding, the Reproductive Limitation Fund furnishes to some counties a means of granting loans, which is being used in my own county; but I understand the fund is small, being the residue of an Irish charitable fund, collected as far back as the year 1821. Moreover, it is only applicable to seven of the maritime counties in Ireland, leaving 11 maritime counties wholly unprovided for. In my county I find there were something like 1,400 applicants, and no wonder, considering the wretched condition to which the fishing population has been reduced by this system of legislation. What did they apply for? Something like £20,000, which was not £20 a man. There was hardly 1,400 of them, and they got £1,100. That is not much encouragement to fishing in that part of the country. To tell us to wait, is to tell us to wait until we have no fishermen at all. This Bill, which has been principally drafted by the hon. and learned Member for Limerick (Mr. Butt), and the hon. Member for Kinsale (Mr. Collins), goes on the lines of the recommendations of Committees. It purposes to appoint a set of Commissioners to govern the Irish fisheries. They shall have powers to appoint officers, to make bye-laws, and enforce penalties for their breach. Without this system of management, it has been proved that you cannot get along with the fisheries. You have tried these Commissioners in Scotland with great success. They shall also have the licensing of vessels. The first 23 clauses deal with the Commissioners and their powers. Then the two clauses 24 and 25 deal with superintendence, and say that the regulations of the Admiralty shall be carried out by the Commissioners. Clauses 27 to 33 deal with branding, which is a question of some importance. Free branding existed in Scotland since 1858; now it is charged, for the use of branding in Scotland has been considerable. Several Scotch gentlemen do not wish for it; but, as far as I can learn, under the branding system, curing has developed to an enormous extent. Some of the curing establishments are in the hands of very large owners, who have a brand of their own, and their brand is of such value, that they do not care for the Government brand, for the reason that they do not want the smaller curers to compete with them; but in Ireland we are not in a position to dispense with the brand. At all events, let us try, and then, if necessary, it can be dropped out. Clauses 35, 36, and 37 deal with the loan question. You were always recommended to give loans, and the system was decided to be fair and legitimate for the Government to do. I do not think we shall have any difficulty in these clauses, for the principle has been decided. Then comes the subject of regulations of piers and harbours, and on this point I confess that anything that could be taken out of the power of the Board of Works is a benefit for Ireland. I have gone through the Bill to show that it is founded on the recommendations made time after time, and I think we do not want any more Committees to take evidence. I would ask you not to put the question off again. You have been putting it off for the last 75 years, and if you put it off any longer, there will be no fishermen at all. Give the Bill at least a trial. The fishermen were a source of enormous national wealth, and they provided a hardy, sailor-like population, which you want both for the Mercantile and Her Majesty's Navy. You have allowed the land population to dwindle away, and you now look in vain for soldiers. You are letting these fishermen dwindle away, and you will look in vain for sailors. As far back as the Union, 10,000 fishermen were voted by the Irish Parliament to aid England, and as late as the Crimean War, it was these fishermen who took the place of the Coastguards sent to the war, and very well they did the work. But you have allowed a great industry to go to ruin, and a population which would have been of great value to you to go to decay. Fishermen know nothing of politics, and they never were engaged in an uprising. The land tenants have agitated, and have got something; but the unfortunate fishermen, who never mind politics, have been ruined, and this is an argument against the Imperial system. You will experience a great and important benefit from the operation of the Bill. It is a paltry argument to say that because it costs a few thousands it must not be done. You go on building ships at an enormous expense, and by neglecting the fishermen, you will very soon have no one to put in your ships. It is a matter of justifiable expense, and you are bound to face the question at once. We are citizens of the Empire, and have rights. When we have shown these rights they ought to have been attended to, but they have not. We demanded our rights, and are therefore justified in being discontented unless you agree to remedy the present state of things. The final result will be to produce a weakness in this great Empire. I beg to move the second reading of the Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Dr. Ward.*)

MR. BAXTER said, that the hon. Member for Galway had favoured them with a very interesting speech, in which he had given a history of the legislation on the subject, and had said that Ireland had been unfairly treated. About that there could not be a doubt. There was not a more melancholy page of history than the whole course of English legislation towards Ireland. But in this instance he could not approve of the remedy that had been proposed—the Bill was altogether opposed to all true principles of political economy. No one any longer doubted that it was no part of the duty of Government to foster any particular industry. Yet there was a time when Government thought it was their duty to affix their brand upon almost every article of textile manufacture and merchandize; and they did so in the belief that the industries so fostered would in some mysterious manner be benefited. But all idea of that nature had been exploded long ago; the system had been the reverse of beneficial to the linen trade, the cotton trade, and the woollen trade, and it had been abandoned by mutual consent in every instance except one—that of branding in Scotland—and the sooner it was abandoned there the better. The Preamble of this Bill spoke of the system having been established in Scotland with the result of producing great advantages to the United Kingdom. He joined issue with the hon. Gentleman on this point. He disputed altogether that the fisheries of Scotland had been benefited by the Government brand. No doubt the Scotch fisheries had flourished, but they had flourished not in consequence of branding, but in spite of it—not because Government had gone out of its way to do what every merchant ought to do for himself, but because they had on the North East Coast of Scotland a race of mariners—men of Danish extraction—celebrated for their industry, skill, and enterprize, who had established a very lucrative trade. But what was the result of a somewhat similar system on the West Coast. A number of benevolent gentlemen subscribed money for the purpose of assisting by loans the population of the Highlands and the Western Islands. They expended the money very much in the manner proposed by this Bill. They gave loans and grants to fishermen; they built boats for them; they established stations, and they did everything in their power in order to create a new trade in those Islands. The result was a most disastrous failure—the loans did more harm than good, and some of the boats then built might be seen rotting on the shores. The system of branding was neither more nor less than the last rag and remnant of the protective policy. The Board of Trade had condemned it over and over again. In 1873, when he was in office, Mr. Macfie asked a Question on the subject of a reduction of the fee; and he (Mr. Baxter) then stated that he had no doubt that the whole system of branding would be eventually abolished, as it was no part of the business of Government to affix an official stamp on any article of merchandize. His objection to the Bill was a fundamental one; it did not apply to any particular clause, but he objected to it because it was in violation of the best principles of political economy, and was reverting to an old system which had been exploded long ago. But he had another objection to the Bill: it was proposed to give powers to Commissioners to spend public money on the piers and harbours of Ireland. He thought the history of this matter in Scotland ought to be a warning—there was not a single instance in Scotland where such grants had done good—indeed, he knew a harbour which was bad before, but had been made much worse by an expenditure of £45,000 upon it. The history of grants in Scotland had been most lamentable and disastrous, and the managers had received the censure of Her Majesty's Treasury. Then it was proposed that the money to be thus advanced was not to be voted by Parliament, but to be paid by the Treasury out of the Consolidated Fund—in his 21 years' experience of that House he had never seen a Bill brought in by a private Member which made so free with the public treasure. He was sorry to see no representative of the Treasury present; but he hoped, in the interests of the Imperial Treasury and in the interests of the people of Ireland, that the Chief Secretary for Ireland would say that the Government were prepared to resist the second reading of the Bill.

SIR JOSEPH M'KENNA said, that when he entered the House he had no intention of speaking on the subject of the Bill. He thought it was not of much use to do so. Legislation for Ireland was not carried out in that House until public opinion out-of-doors was stimulated to the point of popular pressure. He was sorry to say that, but such was his experience. He had heard the speech of the right hon. Gentleman the Member for Montrose (Mr. Baxter) with regret, and he should make some observations in reply to it. The Bill did not rest on the grounds the right hon. Gentleman assigned to it. The question was not one of Protection as against Free Trade; the Bill was one to develop anew and restore an industry which had been almost crushed out by the application of the principle of Protection in favour of other portions of the United Kingdom, and notably in favour of Scotland. He would refer to that branch of the subject in a short time. The right hon. Gentleman had given some flagrant instances of the uses which some persons in Scotland made of the protection which they enjoyed long after the period during which Scotland needed fostering care in the matter of her fisheries. The branding system in Scotland the right hon. Gentleman had described as in fact fraudulent, and in respect to sums voted for the improvement of harbours he gave us an instance, a Scotch seaport in which £45,000 of the public money had been expended, with the result of destroying the harbour altogether. Now, he would ask hon. Gentlemen what sort of argument was that? Nothing of the kind was likely to occur in Ireland, where there was a vigilant public opinion, and a strong antipathy to jobbing the public money which, he was sorry to hear, did not prevail in Scotland. He (Sir Joseph M'Kenna) must say, what the right hon. Gentleman had altogether failed to comprehend—that the outlay in this case was proposed with the view of organizing a national industry, and was in fact a charge in favour of industrial education such as the Scotch community had already enjoyed in its earlier stage to an extent which would enable them now to dispense with protection or fostering care. Whenever the condition of the fisheries of Ireland was raised to an equally satisfactory standard, all expenditure for Ireland should also cease, and would cease, as a matter of course, except to the extent that the executive organization of certain industries of the Empire might happen to be considered an Imperial duty. [The hon. Gentleman read extracts from Adam Smith's *Wealth of Nations*, also from M'Culloch's notes on the subject of the bounties to the Scotch fisheries, to show that even M'Culloch did not propose that the bounty system should cease until the traders of Scotland were prepared for the change.] He was quite as firm a believer in the principle of free trade as the right hon. Gentleman the Member for Montrose; but he hoped he was able to discern better than the right hon. Gentleman the essential difference which there was between such an expenditure of public money as the Bill proposed, and some other outlay made for the purpose of protecting a branch of trade beyond the stage at which it ought to protect itself and propagate its industry. For his part, he viewed the expenditure proposed by the Bill as in its real nature an educational one—an expenditure to organize, and, so to speak, educate a national industry which had suffered from mislegislation and fostered competition. It was one of the first duties of a Legislature and a Government to make such outlays, which, when judiciously administered, were not wasted, but returned tenfold to the community after a time.

Sir GEORGE BOWYER said, that as his constituents were interested in the fisheries, he desired to say a few words in support of the Bill. The objection of the right hon. Member for Montrose, that loans and bounties had done more harm than good in Scotland and that boats built by the money of the public might now be seen rotting on the shore, only proved that the money had not been properly laid out in Scotland, but had been jobbed away. He did not see how that could be an argument against the present proposal. There was every reason to hope under the provisions of the Bill that the money would be properly spent in Ireland. What was now proposed for Ireland had produced the best results in Scotland, for there was no doubt that the Scotch fisheries had taken an extraordinary development and produced the most beneficial results—no doubt if the money had been better spent the advantages would have been still greater—and if a similar system had been adopted in Ireland the same results might have been obtained. It should not be forgotten that all that this Bill proposed to do was to extend to Ireland a policy which had been so beneficial to Scotland. As a question of political economy, it was better, no doubt, that people should be made to rely on their own industry—but there was a state of things to which that rule was not applicable. There was a stage in industry in which bounties might be not only useful but necessary; and when the industry had got beyond the age of infancy the bounties might be gradually withdrawn. He thought the fisheries of Ireland were in precisely that stage. The Reproductive Loan Fund was applicable to 11 ports only, of which his constituents of Wexford were not one—they were left entirely to their own resources, and this he thought exceedingly unfair. But if this Bill passed, some justice would be done by placing them in the same position as those towns which received assistance from the Fund.

The Marquess of HAMILTON said, that although he was not able to agree with every detail of the Bill, yet he would support the second reading, for it appeared to him that the principle of the measure was one that commended itself to the favourable consideration of the House. The right hon. Gentleman the Member for Montrose (Mr. Baxter) laid stress on three points—namely, the branding, the abuse of loans, and the granting of money out of the Consolidated Fund for the erection of piers and harbours. Now, as regarded the first, he (the Marquess of Hamilton) would say that if branding was a matter of no importance, let it be abandoned on the part of the Scotch—if they would abandon it he felt sure the Irish people would not insist on the introduction of the system into Ireland. As regarded the question of erecting piers and harbours in Ireland, he considered it of the greatest importance. If the right hon. Gentleman would only pay a visit to that part of the coast comprising the county which he had the honour to represent (Donegal) he would see the importance of it, too, and admit that money and energy were required to put the piers in a proper state of repair. The right hon. Gentleman also objected to that part of the Bill which referred to loans. He remembered a Scotch proprietor on the west coast of Ireland, who had a good many tenants on his estate, telling him that whenever he wanted to get rid of two or three tenants he would give them a loan, and that invariably he found they never came back. He did not think that that would apply to the Irish fishermen, for in that case, with regard to the advances made from the Reproductive Loan Fund, there was only one case in which the trust had been misapplied. There could be no doubt that the present state of the Irish fisheries was most unfortunate—they had gone from bad to worse. To what was that to be attributed? Some attributed it to want of enterprize on the part of the Irish fishermen. Something there was in that; but that was not the whole case. The chief cause was the want of funds whereby there energy could be carried to a useful account. The county which he had the honour to represent could formerly boast of a flourishing and energetic race of fishermen. Fish was abundant along the whole coast; but now the fishermen were not only fewer in numbers but they had deteriorated in quality. They could not catch a fisherman at the age of 18 or 20 as they could a soldier. They could not make a fisherman in a few weeks. The supply of fish, too, though it had fallen off, was not deficient. This question had been brought before the House year after year with no results. The right hon. Gentleman the Chief Secretary for Ireland, the year before last, did something in the way of advancing loans to certain societies; but he was unable, from want of funds, to extend that assistance to all that stood in need of it. Out of 15 sea-bound counties only 5 had received the benefit of those loans. He thought the right hon. Gentleman might now endeavour to provide for the advance of loans to the rest of Ireland. Whatever Government, whether it were Liberal or Conservative, should show itself willing and able to raise the Irish fisheries out of the unfortunate position which they at present occupied would deserve the support and everlasting thanks of every Irishman.

Mr. YEAMAN said, that Scotland and the Scotch fisheries had been mentioned several times during the debate, and as he happened to have some practical knowledge of those fisheries through having been connected with them for 36 years and upwards, he hoped the House would allow him to make a few remarks on the Bill now under notice. He quite agreed with the remarks made by the right hon. Gentleman the Member for Montrose (Mr. Baxter) with regard to the time having arrived for the Scotch Fishery Board being done away with. The Board had answered the purposes for which it was appointed, and in his opinion the fisheries of Scotland were now in such a prosperous position that they were able to stand on their own legs as one of the great industries of the country. But what had brought them to this condition of perfection? It had been, in his view—that was, to a large extent—the fostering care of the Government—at the same time, they could not altogether elimit from the merit of that success the indomitable perseverance of the Scotch character in the fishcurer and fishermen. In the beginning of this century the fisheries were in a very bad condition, both with regard to the cod and herring fishery, and also with regard to the whale fishery. The value of the shoals of fish which frequented the Scotch coasts went into the coffers of other rich countries, and did not go into the coffers of the poor country of Scotland. Parliament at the time came to the conclusion that it would be for the benefit of the country itself, and of the nation generally, that some encouragement should be given to the Scotch fisheries; a Fishery Board was established, and officers placed around the coasts of Scotland at various fishing stations, bounties were granted to a certain amount in order to assist those engaged in carrying out the enterprize. That continued until the year 1830, when the bounty was withdrawn. The fisheries had then arrived at a state of perfection which did not necessitate any bounty; but in order to foster and assist in the curing of herrings, and to stimulate those engaged in the trade and in properly gutting, packing, and curing of fish, fishery officers of experience were stationed around the coast. The trade had prospered to such an extent that it was now worth millions to the country. The Fishery Board still existed, but the fisheries, he thought, no longer required to be fostered by any Government superintendence, nor was there any need to continue the practice of branding. The time had come when the Government brand should be withdrawn, and every curer engaged in the trade should be left to his own resources. But while he spoke thus of the Scotch fisheries, he must say he thought the Irish fisheries were in a very different position. It was a deplorable thing that Ireland, with its coasts abounding with rich shoals of fish of all descriptions, ready to be harvested, had not money to take advantage of that harvest, and to reap it when it came to their shores. Ireland stood now where Scotland stood some 60 or 70 years ago; and if the same care and encouragement which had been advantageous to Scotch fisheries were applied to the Irish, the fisheries there might become as beneficial and prolific in a national point of view, as the Scotch fisheries were. It was of vast importance to a food-importing nation such as this to extend the food producing capacity of its country—it was so much money saved to the nation, and it saved the money from going to foreign countries for food to be imported for the sustenance of the people. The right hon. Gentleman the Member for Montrose had told them that the provisions of this Bill were against the principles of political economy; but he (Mr. Yeaman) thought the best proof that the Bill was in accordance with those principles was to be found in the success which the Scotch fisheries had attained under the fostering care which this Bill provided and proposed to extend to the Irish fisheries. That was the best proof that the Bill was not against the highest principles of political economy. He thought that now that the Irish fisheries were almost *nil* the same principles should be applied to revive them that were applied to Scotland 60 or 70 years ago; and if those connected with the Irish fisheries showed the same indomitable energy as the Scotch—and he saw no reason why they should not—they would not long remain behind. If they looked at the example of those representing Irish constituencies in this House, and saw how steadily they persevered in pressing these measures on the attention of Parliament, he could not doubt that if this Bill were carried through the House it would be of great advantage to the Irish nation. He was not saying the Bill was complete or perfect in itself—no doubt some amendments might be made. He thought the Government should take up this Bill or give it their support. In that case, if it did not succeed it would not be the fault of the Government, but the fault of the Irish people themselves and those engaged in this industry. He should, therefore, vote in favour of the principle of the Bill.

Mr. BRUEN said, he heartily supported the proposition that there should be a brand for the fish caught in Ireland in the same way as was done in Scotland. He looked upon the brand not as a protection, but as a guarantee of quality, and, viewed in that light, he thought it would be as valuable to the Irish fisheries as it had been to those of Scotland, as carrying weight with it in foreign markets. As regarded the question of fishery piers and harbours throughout Ireland, he looked upon them as amongst the objects to which Imperial funds might fairly and properly be applied; and he acknowledged with gratitude that some assistance was already given both to Ireland and Scotland for these purposes. In the Estimates of this year the sum to be voted for fishing piers in Ireland was £4,900. These works he regarded not as a bounty on the fisheries, but as expended for the protection of life and property. But when he came to consider how the Bill professed to give effect to these points, he could not say that he altogether agreed with that part of the Bill. It was proposed to erect a new Department of a very complex and expensive kind. He did not himself see why the present Fishery Inspectors should not be utilized for giving effect to any provision the Government might think well to make for the development of Irish fisheries. If necessary, the number of the Inspectors might be increased and their powers augmented. But these were details. He gave his hearty support to the main principle of the measure, which was, that Her Majesty's Government should be asked to do something towards the development and sustentation of this branch of industry in Ireland.

Mr. LOWTHIAN BELL said, he could understand an English Member objecting to the Bill, but he could not at all understand an objection coming from a Scotch Member, his fellow-countrymen having for so long a time been in receipt of a Government grant for the very purpose contemplated by its provisions. The right hon. Gentleman the Member for Montrose (Mr. Baxter) said that the Ministry, of which he was a Member, was prepared to make a change in the law; but it was open to him when in office to do it, and he failed to see why so much money should have been given to Scotland for those purposes and none to Ireland. Neither did he see that because a large sum of money had been wasted in making a bad harbour in Scotland by Scotchmen, our Irish fellow-subjects should not be allowed to try their hand in making a good one in Ireland. Though he was not prepared to approve every clause he should support the general principle of the Bill.

Sir JAMES ELPHINSTONE said, the wonder in his mind was how it came about that while the fisheries of Scotland had developed with such great rapidity, and while a railway system had been organized to convey their produce to the most remote markets, until the industry had become one of the most flourishing and lucrative in the country, the adjacent fisheries of Ireland, whose waters were teeming with fish, had steadily diminished in production. He thought a clause should be inserted to turn Irishmen into Scotchmen, for he believed the different results to be entirely due to the difference between the sagacity and the perseverance of the two peoples. He had heard a great deal about bonuses and brands; but it appeared that up to a certain point the Irish fisheries enjoyed the same advantages as the Scotch; but the Scotch people, unlike the Irish, instead of desponding, accepted their fate, turned round upon their conquerors, made money out of them, supplied them with Prime Ministers and Chancellors, and ceased to fight against them. Here was a Bill of some 50 clauses, and providing a machinery that was wholly impracticable—the Government could not assent to it. He should be glad to see anything done for Irish fisheries that would rescue them from the condition in which they at present were; but nothing the Government could do could change the character of the people and make men go to sea to earn their bread if they did not like the occupation. Scotch fishermen could not help succeeding. They went in the Spring to the Western Hebrides with their families; and at the close of the fishing season there, they returned to their villages, and after the lapse of a few days repaired to the east coast, where the fishing lasted six or seven weeks. Out of an area of 40 miles by 30 he had known them take fish equal in value to the land revenue of the county of Aberdeen, which was £900,000. The fishermen carried away £200 or £300 a-piece. They did not go home to dig potatoes—they had not many to dig. The commerce of the country furnished them with the necessities they required, and they devoted the whole winter to deep-sea fishing. These men succeeded because they were fishermen, and fishermen alone; it was their trade, and they followed no other. He had seen the Irish fishermen leave the Western Hebrides when they were teeming with fish to go home and cut down crops out of which the winds of the western Atlantic had shaken all the corn, so that there was nothing to cut down but straw. This was a state of things which he did not believe Parliamentary interference could alter. Scotland received for piers and harbours £3,000 per annum, and the profit upon branding had risen now to £5,000. Branding was a great benefit to the trade, and he did not think that Scotland could at present dispense with it; but the time might come when it might be done away with under suitable legislation, which he should welcome with pleasure for both Scotland and Ireland. As to the money that had been spent upon Anstruther harbour, it was certainly not the worse for it; but there was this to be said in excuse for any mistake that might have been made—that when the work was begun very little was known about harbour work, compared with what was known now. The piers of the harbour were constructed of concrete—and he would recommend that fact to the consideration of Irish gentlemen interested in fisheries.

MR. BUTT rose to Order. The Bill under consideration did not propose to deal with the question of the construction of Scotch harbours.

MR. SPEAKER said, he failed to see the relevancy of the hon. Member's observation.

SIR JAMES ELPHINSTONE said, his only object was to show how piers and harbours in Ireland could be constructed with most economy. With regard to the Bill he considered it an impracticable measure. It could only be given effect to at great public cost, the money would be lent without security, and there were no means by which the expenditure could be repaid. Why did not noblemen and gentlemen in Ireland build piers and harbours as was done in Scotland? One nobleman in Scotland had constructed a harbour at his own sole expense, and another Scotch gentleman built a harbour at his own cost, which, during the last six months, had given shelter to a great number of vessels. He must not mention the forbidden word "concrete;" but he might say that the piers of the harbours in question were built of that material. Not only was that the case in individual instances, but two towns in the North-East of Scotland had expended £200,000 in the construction of two harbours, and were about to expend £300,000 more. These were examples which he should like to see followed in Ireland.

MR. A. PEEL was glad to hear the hon. Baronet who had just sat down declare that he was not a supporter of the practice of branding. From the light of official experience of the operation of that institution in Scotland he was unable to accede to the arguments offered by the supporters of the Bill, and he dissented altogether from the doctrine that that which Scotland had outgrown was good enough for Ireland. He should be pleased to see encouragement given to the Irish fisheries and the maritime industry of Ireland developed; but he earnestly protested against the fostering of any branch of industry by the re-introduction of what was nothing less than an application of the exploded doctrine of protection, and that in its worst form, and the bolstering up of a race so energetic and self-reliant as the Irish were by giving them a system which another part of the United Kingdom would soon happily be rid of. The system had failed in England and Scotland and wherever it had been tried.

MR. SERJEANT SHERLOCK said, they had had statements contrasting the falling off in the fisheries of Ireland with the aggrandizement of the fisheries in Scotland, and they naturally inquired how it was that the fisheries in Ireland failed, while those of Scotland succeeded. The fact was that the fisheries on the West of Ireland were in a district which till recently had no railway communication, and that the fishermen were unable to repair damages to their tackle and boats on account of their limited means. They had no market, and year after year infelicitous seasons reduced the men from a position of comparative comfort to one of comparative poverty. If Government had opportunely stepped in by some pecuniary assistance to enable them to repair the damages they probably would have had a prosperous continuance of their line of industry for which Donegal and the West of Ireland were at one time remarkable. Some years ago there was a regular trade with Portugal and Spain, especially in this Lenten season, and we in return were supplied with the wines of those countries. But after a time, the trade was directed into another channel and the fisheries were neglected. The present moment was singularly propitious for the objects of this Bill. Railways had extended into those districts where fish was abundant—the Scotch fisheries were now reaping a rich harvest from this very system of protection to which the hon. Member for Warwick (Mr. A. Peel) so much objected. If the fisheries of Ireland were in the same position as those of Scotland they would find Irish landlords making an expenditure commensurate with the returns; but they ought first to give a start to this branch of industry, and after that, he had no doubt, the fisheries would prosper very rapidly owing to the great facilities that now existed of sending fish to a remunerative market. He could not agree with the hon. Baronet (Sir James Elphinstone) that the money would be lent without security—and the return would be such as fully to justify the expenditure. As to whether brands were to be introduced, or the present Board to be altered or formed under a new name, or whether there would not be too much expenditure, these were among the points which would be more properly considered in Committee. The broad question before the House was whether this was a case in which the Government would be justified in interfering for the protection and encouragement of the fisheries of Ireland, and whether it would not be beneficial alike to Ireland and to the Empire generally. He asked the House to affirm the principle of the Bill by reading it a second time.

Sir EARDLEY WILMOT said, he was satisfied that the fisheries of Ireland were in a most declining state, and had rapidly fallen off both as to the number of vessels and men and boys employed. The question was—could the Government interfere to prevent a great branch of industry from being destroyed altogether? He was sorry to hear the right hon. Member for Montrose denounce the Bill as an infringement of the fundamental principles of free trade; but Mr. John Stuart Mill and Lord Morpeth, both most able and ardent disciples of Free Trade, when the latter introduced a somewhat similar Bill in 1838, admitted that the case of Ireland was exceptional and could not be judged on the same principles as England and Scotland. In the years 1837, 1838, 1846, 1847, and 1869, Royal Commissions and Committees of the House had sat on this subject, and what were their recommendations? Every one of those Commissions and Committees recommended that loans should be advanced to the poor fishermen in the ports of Ireland who required the assistance; and in 1875, only last year, the Reports of the Inspectors of Fisheries recommended exactly the same thing. In 1848, Ireland was prostrated by a famine from which she had never recovered, and every Commission that had sat since had called attention to the effects of that famine, and suggested that without some help the fisheries could never recover. He earnestly hoped that Government would accede to this Bill. The subject was brought before the House in 1874, when the Government seemed disposed to encourage this movement; but all the Treasury would do was to give to the Irish what was merely their own property—namely, the remnants of an Irish loan made for other purposes, and now nearly exhausted, and which were barely sufficient to give the unfortunate fishermen £1 per head. The Scotch were an industrious and energetic people and could take care of themselves—yet Scotland had received aid—the question now was, what could they do for Ireland? He trusted the Government would at least go so far as to sanction the principle of this Bill, which he himself, at all events, should cordially support. When Irish Members brought forward, as in the present instance, remedial measures of a practical nature for Ireland, he considered that they were entitled to encouragement and assistance from both sides of the House.

Mr. COLLINS said, he had had some experience of the fisheries of Ireland, and had given the subject much attention; for representing one of the most important centres of the fishing enterprize of Ireland, he had often considered how far it was possible to encourage such an important branch of their industry. The fisheries of the town he represented (Kinsale) were attaining a considerable development. At this season the fishing craft and gear in the port of Kinsale were valued at £300,000, and the persons employed in those boats earned £150,000 during the fishing season. It was true that those boats were not all Irish—but a large proportion of them were. The circumstances of the Irish fisheries were of the most favourable character. The seas surrounding the coast literally swarmed with fish for a considerable period of the year; and along the whole range, extending over 2,500 miles, there was an admirable population, ready and willing to work, if they had the opportunity. It might be asked, why did not the people of Ireland utilize these advantages themselves? The answer was, they did utilize them as far as they could. Thirty years ago, when the Irish people were unassisted by the State, and simply and purely from the industry of the people themselves, there were 113,000 men and boys engaged in this national enterprize, representing families numbering some 500,000 individuals, and earning at least £2,000,000 sterling annually. Then came the Famine, the people were struck down to the earth, and the effects would never be recovered, except by effective legislative interference. He did not attach paramount importance to the branding system; but at Cork a private association had attached a brand to the butter casks, and the effect was to give their article such value for exportation that none other could compete with it. It was manifestly desirable that the piers and harbours in Ireland should be placed under a Fishery Board. The Treasury could know little about it, and was already overburdened. But the most important question raised by this Bill was the question of loans or advances from the Treasury. The Bill asked the inconsiderable sum of £20,000. From the Return of the Reproductive Loan Fund Commissioners, it appeared that 358 loans were issued during the past year, in an average sum of £16 10*s.* for each loan. Hon. Members practically acquainted with Ireland would know that the loans granted under the operation of that Act had done a vast amount of good. He saw no reason to think that the lending powers which would be given under the provisions of this Bill would prove less advantageous to fisheries and fishermen who would come within the scope of the measure than had the previous Fund. Some question might arise as to the number of maritime counties in Ireland which would be able to avail themselves of the borrowing facilities provided in the Bill; but this was a matter of detail which could be settled in Committee, and he had no doubt that if the Bill was allowed to pass the second reading, the hon. and learned Member for Limerick would be perfectly willing to consider any modifications that might be proposed.

MR. BUTT said, that as he was in a great measure responsible for the preparation of this Bill, which was chiefly made up of clauses cut from the Scotch Fisheries Act, the word Ireland being substituted for that of Scotland, he should like to explain some of the provisions which had been misunderstood. He denied that in this Bill there was any question of Free Trade or Protection—nor was there a single proposal as to bounties. The only question raised by the Bill was whether the Government were willing to extend to Ireland the same system as that under which the Scotch fisheries had attained unexampled prosperity—not an exploded system, but a system in force at the present day, and which Scotchmen would not willingly surrender. The first thing the Bill did was to establish a Board of independent Commissioners, following the Scotch precedent—for the Scotch were allowed a modified Home Rule, and had a body of men who administered the affairs of the Scotch fisheries. That was all they asked for Ireland. The Irish Board would not cost more than the Scotch Board; and the Bill was carefully framed to prevent incurring expenditure without the consent of the Lord Lieutenant and the Treasury. The Scotch Board had a Vote from the House of £12,500, formerly paid from the Consolidated Fund, but now voted in the annual Estimates. By the grant the Scotch had an advantage over their competitors in Australian and other markets. He did not ask for one penny that was not voted for Scotland. The Scotch had enjoyed this grant for 56 years, and the grant was paid out of the taxes imposed on Ireland to enable Scotchmen to beat Irishmen not only out of the markets of the world, but out of their own markets. That there was a great advantage in foreign markets to fish branded by a Government officer was clear; it was a certificate that the fish was of a certain quality. It was far different from the brand of any private body. The Scotch had the branding system up to 1856, and paid for it out of the grant. The consequence was that the Irish trade without the brand found it impossible to contend with the Scotch trade with the brand. Yet of the advantage of a brand, even by a private body, there was a conspicuous example, for the butter trade of Cork owed its success to the enterprize of a private association, which had a private brand for their butter. What, then, would not be the success of an authorized brand? He repudiated the notion that the Exchequer of England was separate from the Exchequer of Ireland, and therefore he said that they had paid those grants to Scotland out of their own taxation—a taxation laid on with a heavy hand—and with their own money had driven the Irish out of the markets. He would not go back to pre-historic times for an example of this kind of treatment—he would take Oliver Cromwell, who gave some of the Irish the choice of two places, one in the other world and the other in Connaught. They preferred Connaught. In the present instance there was no alternative. Before the Union the Irish fisheries were more prosperous than those of Scotland or England; but in 1809 the Imperial Parliament gave large bounties to the Scotch and English fisheries. This was the cause of their prosperity as compared with the Irish fisheries, and not any want of energy on the part of the Irish fishermen. In 1819 bounties were given to the Irish fisheries, and prosperity was the result. Those bounties were abolished in 1830 in both countries. Scotland had enjoyed the privilege for 70 years; Ireland only for 10. It was suddenly found out that bounties were contrary to the true principles of political economy. Exactly so—they always found that out when England did not require assistance and Ireland did. In 1830 England found she could do without these bounties—they were declared contrary to the true principles of political economy—and they were abolished over all the Three Kingdoms. But the Scotch Board was continued, with a permanent grant of £1,600 a-year. The Irish fisheries were transferred to the Commissioners of Inland Navigation—it was a practical "bull," but it was not an Irish, but an English Parliament that did it—and subsequently they were placed under the control of the Board of Works, where they continued up to 1869. Then Inspectors of salmon fisheries were appointed, and the sea-coast fisheries were placed under them. An officer of the Board of Works who was superintending the deep-sea fisheries in 1830, said in his evidence before a Committee that the fatal Act which gave a title to Scotland of a continuous grant for the repairing of fishermen's boats utterly extinguished all encouragement of the Irish fishery. This accounted for the strong contrast between the prosperity of the Irish and Scotch fisheries. The same authority said that it was utterly impossible for the Irish to compete with the Scotch under those circumstances. The officers of the Board stimulated the industry of the Scotch fishermen, and gave them information as to the best time and mode of catching the fish. All these advantages were wanting in Ireland. It would be a great misfortune if a measure of this nature, almost unanimously supported by the Irish Members, should be rejected by the English Members. The Commission in 1830 reported in favour of the grant to Irish fisheries. One Commission reported that since the Union Scotland received in the way of bounties £100,000 more than Ireland. He did not grudge the Scotch the Vote—he wished it were more. The principle of the Bill was to give Ireland the same sort of Board as they had in Scotland, and the same machinery for instructing Irish fishermen. £20,000 or £25,000 a-year would probably satisfy the expectations of the Irish people. More than this was spent on pictures for the National Gallery. If the grant asked for were made to revive the Irish fisheries it would repay the British Government ten-fold, if in no other way, by the kindly feelings it would engender among the Irish people.

Mr. RAMSAY said, he would not detain the House more than a few minutes, but some remarks had been made by the hon. Baronet opposite (Sir James Elphinstone), which he could not allow to pass unnoticed. The hon. Baronet had said that it was in consequence of the difference of the races that the Irish fisheries had not been developed to the same extent as the fisheries on the East Coast of Scotland; and by way of bearing this out had attempted to show that, on the West Coast of that country, the Celtic population had failed to avail themselves of the advantages within their reach. He had spoken with special disrespect of the people of the Hebrides, and had instituted a general comparison between them and the people of the Aberdeenshire Coast. Now, he could assure the House that a great many of the fishermen employed on the East Coast came from the Hebrides, and were those of whom the hon. Baronet had spoken with so much disrespect. Devotion to the acquisition of wealth was not the highest attribute of a people, and if the hon. Baronet had reflected for a few moments he would have shrunk from any such comparison. The people of the Hebrides would compare very favourably with the population of Aberdeenshire, or any part of the East Coast. If the hon. Baronet would compare the two districts as regarded crime, or any question having a moral and social bearing, he would find that the people of the Hebrides had no reason to shrink from comparison with any part of the Queen's dominions. As to the Bill before the House, he thought those who had at heart the interest of Ireland should take care that provisions were inserted which would secure the proper application of the money. The people of Scotland were not at one as to the advantages of their system, especially in reference to the Fishery Board. While, therefore, he should be glad to support the general principles enunciated by the hon. and learned Member for Limerick (Mr. Butt) as the principle of the Bill—namely, that it was desirable to assimilate the law of Ireland, in regard to grants from the Imperial Treasury to that of Scotland, he was sure there was no Scottish Member in the House who would object to an investigation which would show the amounts paid from the Exchequer to every Department in the two countries. He hoped Scottish Members would join in giving to Ireland every advantage which Scotland might possess, and that the Bill would receive the favourable consideration of Her Majesty's Ministers, so that, if possible, the interest of the Irish fisheries might be advanced. His chief object, however, in rising, was to remove the aspersions which had been cast by the hon. Baronet—unintentionally, no doubt—upon the Islanders.

SIR MICHAEL HICKS-BEACH said two questions appeared to him to be somewhat mixed up in the Preamble of the Bill, and the result had been some confusion in the debate. The first question was, whether anything was necessary to be done in order to support or develop the Irish fisheries; and the second question was, as to whether anything should be done to stop the alleged reduction in the numbers of Irishmen at present engaged in fishing. It would hardly be asserted—and he appealed to hon. Member for Kinsale himself (Mr. E. Collins)—that it was necessary for the Government to interfere to maintain or support the fisheries on the Irish coast; for the Englishmen, Scotchmen, and Manxmen, who carried on this industry there to so large an extent, conducted it most profitably without Government aid or interference; but what was really asked for was, that some special encouragement should be given by Government to Irishmen to embark in the trade, so as to stop the further reduction of the Irish population who were engaged in fishing. The Preamble of the Bill now under discussion set forth—and he admitted there was great force in the statement—that the improvement and encouragement of the Irish fisheries in this manner was of importance, not only to Ireland, but also in regard to the commercial prosperity and strength of the United Kingdom. Admitting, as he did, that there had been a reduction in the number of the fishing population of Ireland, he also contended that it was difficult to ascertain the extent of the decrease —for the statistics presented to the House in the course of the debate were quite untrustworthy. In 1846 it was said there were 19,883 vessels with 113,000 men engaged in the Irish fisheries—and that in 1874 these had fallen to 7,242 boats and 26,500 hands—but it was curious that in 1845 the number of boats was the same, but the hands engaged were 93,700. This looked very much like a gross error in the printed statistics; and the only explanation that had been suggested to him was that the increased number in the following year was due to the Famine, which had driven to sea many whose ordinary occupation was agriculture. On the other hand, when emigration and other causes had greatly reduced the population, the demand for fish had decreased, and many who had temporarily engaged in that occupation abandoned it. It must also be remembered that, in recent years, all kinds of industrial occupations had made great strides, and wages had largely increased, and consequently many of the population had been attracted to agriculture and manufactures, naturally preferring them to the precarious and hard life of a fisherman. For without saying anything in disparagement of the courage or energy of the Celtic race, he might remark that they were not so much attracted to depend entirely upon fishing as a mode of livelihood as were the Norwegians or the inhabitants of England and Scotland; and that in the statistics to which he had already referred a "fisherman" might often mean one who spent five-sixths of his time in some other occupation. It was stated in the Preamble of the Bill that the system established in Scotland for the regulation of the deep sea fisheries had been found by experience to have produced great advantage to that portion of the United Kingdom. The right hon. Gentleman the Member for Montrose (Mr. Baxter) had asserted, however, that the success of the Scotch fisheries had been produced not by, but rather in spite of that system, and was due to the industry and practical knowledge of those who had followed the pursuit. Those who asked that Ireland should be put on the same footing with Scotland did not carry out their own proposal; for while pointing to the great public expenditure in former times upon the Scotch fisheries as the reason for their present flourishing condition, they did not venture to propose to set up in Ireland the system of bounties, under which that expenditure had been incurred; but asked for a system of loans and an increased grant for fishing piers and harbours, although loans were unknown in Scotland, and the grant for piers and harbours in Ireland was at present larger than that for Scotland. The proposals of the Bill might be divided under three heads. First, a Board of Commissioners was to be established in lieu of the present Inspectors of Irish Fisheries. Secondly, they asked for the adoption of the branding system in Ireland, which now prevailed in Scotland; and, thirdly, they asked for a grant of £20,000, to be applied in loans to fishermen. He was astonished to hear the hon. and learned Member for Limerick (Mr. Butt) treat as of so much importance the proposal to substitute for the present Inspectors of Fisheries an irresponsible and unpaid Board of Commissioners, because that proposal was directly at variance with a Motion on the general subject of these Boards which he had placed upon the Paper of the House. It would be, in his (Sir Michael Hicks-Beach's) opinion, a most retrograde step to substitute unpaid Commissioners for a paid body of Inspectors, who discharged duties in many respects of a kind which could not be undertaken by an unpaid Board. As to the proposed adoption of the brand in Ireland, he would remark that branding was no new invention in Scotland, but was a relic of the old system of bounties, it being necessary that the fish should be marked that the bounty might be claimed. In course of time the brand came to be looked upon abroad as a guarantee of the quality of the fish—and although for this reason it was continued in Scotland after the abolition of bounties, it was not in the same position as it would be if it was now adopted for the first time in Ireland. The principal argument in its favour was, that it unquestionably encouraged the foreign trade in Scotch fish, and gave to the small curers an advantage as compared with the larger ones. On the other hand, the system was open to grave objections on economical grounds, as being an interference by the State with matters the regulation of which ought to be left entirely to the ordinary course of trade. From the opinions expressed in this debate he felt confident it would be extremely difficult to abolish the branding system in Scotland; and if we were compelled to maintain it there, the question was whether Ireland had not a fair claim to whatever advantage she might derive from the adoption of the system. Still it must be remembered that the Scotch and Irish fisheries were not identical in character. The Scotch fishery was mainly one in which the existence of the brand was of great importance, for it was an export trade of cured white herrings. The Irish fishery was altogether different from this. It was divided into two parts—the summer fishery and the winter fishery. The whole produce of the summer fishery was consumed in England, or Scotland, or Ireland, and it was purely a trade in fresh fish; for the Irish herring, he was happy to say, was so superior in quality to the Scotch herring that it commanded a better price in the market, and, in fact, controlled the whole fresh fish market during the summer fishing season. As far, therefore, as the summer fishing was concerned, there would be no use whatever in the adoption of the branding system in Ireland. The autumn or winter herring fishery in Ireland was of a very uncertain character. For the last four or five years there had been a very small catch indeed, owing to the stormy state of the weather; but in some years, when the weather was more favourable, there was great luck in fishing, and then the catch might be so large that many fish might be cured for the foreign export trade, and the adoption of the branding system might be valuable. He was by no means certain, however, that it would not be possible, if some means were devised for communicating with the markets in England and Scotland, that the whole of the fish taken in the Irish autumn and winter fisheries might be consumed as fresh fish, because the trade had changed very considerably of late years, owing to the employment of steamers to carry fresh herrings to the large markets. Indeed, he had taken the opinion of three large fish-curers at Ardglass, who unanimously agreed that the introduction of the branding system would be of no use whatever. Nevertheless, he would do his best to make further inquiries, and to ascertain whether, consistently with the general grounds of policy on which the Government were bound to act, they could introduce the branding system into Ireland. Speaking individually, he was bound to say that, as long as that system was maintained in Scotland he thought, if it could be satisfactorily proved that the Irish fishing trade suffered for the want of it, it ought to be extended to Ireland. Passing on to a consideration of the proposal that £20,000 should be placed in the hands of the Commissioners to be devoted to loans to fishermen, he could not help thinking that the Act of 1874 providing a Reproductive Loan Fund had been treated somewhat hardly in this debate. No doubt the sum was not large; but it should be remembered it was only applicable to a certain number of the maritime counties;—when that was considered, it was in proportion nearly as large as the amount proposed in this Bill, which would apply to the whole of the maritime counties. The repayments under the Act of 1874 had only recently commenced, and it was yet too soon to say how far they would be punctually made. One of the Inspectors, Mr. Blake, whose knowledge on this question was considerable, had given a most favourable opinion; but, on the other hand, he was sorry to say he had had a contrary opinion expressed to him by the Irish Board of Works. The ultimate solution of the question of loans appeared to him to rest very much upon the success or the failure of this experiment under the Act of 1874. He could see nothing to violate the principles of political economy in giving loans to poor fishermen for those purposes, and he might repeat what he had said in 1874, that if the result of this experiment should be successful, and if it should be proved that these loans were applied to the purposes for which they were given, and that they were usefully applied and punctually repaid, he should be disposed to suggest to the Treasury that they should consider whether the Government should not undertake some further extension of the system. It should be remembered there was no little difficulty in Ireland in securing the proper application of these loans. The fact that the fishing population devoted a large part of their time to agricultural pursuits made it difficult to ensure that the loans would not be sometimes misapplied; and when they made a loan to men who were half fishermen and half farmers, to apply to one part of their business, people who were wholly farmers might make a similar claim upon them, and the poor weavers in the North of Ireland might follow them in that claim. In anything he had said, he did not wish to be understood as having come to a final decision on this point. There were other minor matters included in the Bill. It was complained that the Admiralty did not devote the requisite portion of the Imperial Navy to the protection of the Irish fisheries. He (Sir Michael Hicks-

Beach) thought no complaint could be sustained on that subject. He believed cruisers were sent to the Scotch fisheries, because the number of boats taking part in them was so large that it was sometimes difficult to maintain peace and order among them. He thought it was somewhat creditable to those engaged in Irish fisheries that the same precaution was not needed by them; but he was informed that any application hitherto made by the Inspectors of Irish fisheries to the Admiralty for vessels for any particular service had always been complied with. He was now in correspondence with the First Lord of the Admiralty upon this question, and he trusted to be able to arrange that if anything now could be shown to be necessary, it should be done. He was somewhat surprised to see the proposal of licensing boats. Whatever might be popular in the Bill, he could not conceive that anything could be less popular with the fishermen than to compel them to pay, in addition to harbour fees, a shilling per ton for a licence, which they now obtained entirely free of cost. Then it was proposed that the cost of the maintenance of piers and harbours should be taken off the grand juries who now bore it, and should be imposed upon the Treasury. That, again, was a proposal to which, considering the amount of public money that had been expended in constructing these piers and harbours, the Government were by no means likely to accede. He had felt it his duty to go at some length into the Bill, because he hoped the decision of the House would be taken on the merits of the measure itself rather than on any sentimental view of the Irish fisheries. Many might desire to see more of the inhabitants of Ireland tempted to engage in a pursuit which had much to recommend it; but he thought that, on consideration, it would be found that most, if not all, of the proposals made on this subject tended merely to bolster up an unpopular industry by State aid, and that the systems adopted, whether in Ireland or Scotland, in the earlier part of the century were such as with our present experience and views could not be reverted to. Whatever Government or Parliament might attempt to do for Irish fishermen, they must really depend on private enterprize rather than on State support, which, whatever fictitious prosperity it might appear to give for a time, could not result in real and permanent benefit to any industry. Objecting as he did to the proposals contained in the Bill, and particularly to the proposed unpaid Board of Commissioners, he felt bound, on the part of the Government, to move its rejection.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Sir Michael Hicks-Beach.*)

Dr. WARD: The right hon. Gentleman has admitted that there is a good deal in the Bill, and admitted furthermore that there has been an enormous decrease and decline in Irish fisheries, but he suggests some doubts as to the unreliability of some of the statistics; but I will take my statistics of the last 10 years, which I do not think even the right hon. Gentleman will venture to deny. In 1864 there were 40,000 fishermen, and in 1874 we had only 26,000. There is a general point I would speak to. There have been many objections raised to the way of dealing with that subject proposed in my Bill; but, as I pointed out in bringing the Bill before the House, it was grounded on the most careful investigation into the facts of the case, and upon the recommendations made, time after time, to this House by Committees of the House. It was grounded on Reports of skilled Fishery Inspectors; and is the right hon. Gentleman and some hon. Members on this side of the House going to put their knowledge against the skilled knowledge of Fishery Inspectors and of skilled witnesses before Committees? This carefully-weighed evidence had resulted in—what? We had a Commission in 1837 which recommended the very principles of the Bill. The Bill brought in by the Government in 1838 was identical with the Bill. In 1849 a Committee recommended similar proposals; and in 1866, when political economy was well understood, another Committee of this House, who had the sworn testimony of skilled witnesses, which I put against the opinion of the right hon. Gentleman as to what is good and bad for the fisheries, recommended to this House the very principles—ay, the very plan—brought forward in this Bill. Furthermore, the Government appointed Inspectors who were skilled in fisheries. Up to this day these Inspectors have recommended the very provisions we ask for. But the right hon. Gentleman says—"Wait." We have seen what the result of waiting is. The result is that we have nearly lost the whole industry, and that we have nearly lost the whole of this industrious population. If you wait you will not have any more fishermen to deal with. They are gradually dwindling away, and what we ask the House to do is to try in Ireland what has been tried in Scotland, and, whether it may be *propter hoc* or *post hoc*, we find the system in Scotland has been attended at last with immense success. When we find that, and when we find that this House has, time after time, appointed Commissions who have told the House that the reason Ireland was not prosperous in her fisheries was because the Government have not done the very thing we are asking them to do by this Bill, I think we have made out our case for the trial of the Bill, and I certainly do think the House or the Government will neither win in the good wishes of the Irish people, nor certainly in the good feeling between the people of the two countries as to the treatment of Irish affairs, if they reject it.

Question put, "That the word 'now' stand part of the Question."

The House *divided*:—Ayes 131; Noes 215: Majority 84.

Words *added*.

Main Question, as amended, put, and *agreed to*.

Second Reading *put off* for six months.

HOUSE OCCUPIERS DISQUALIFICATION REMOVAL BILL—[Bill 29.]

(*Sir Henry Wolff, Sir Charles Russell, Mr. Onslow, Mr. Ryder.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir H. Drummond Wolff.*)

Debate arising.

And it being a quarter of an hour before Six of the clock, the Debate stood adjourned till *To-morrow*.

And the Unopposed Business on the Paper being disposed of—

House adjourned at ten minutes before Six o'clock.

HOUSE OF LORDS,

Thursday, 23rd March, 1876.

MINUTES.]—Public Bills—*First Reading*—Drainage and Improvement of Lands (Ireland) Provisional Orders (No. 2) * (39); Sea Insurances (Stamping of Policies) * (40).
Second Reading—Burgesses (Scotland) (35).
Report—Council of India (Professional Appointments) * (28).
Third Reading—Telegraphs (Money) * (29), and *passed*.

BURGESSES (SCOTLAND) BILL—(No. 35.)

(*The Earl of Airlie.*)

SECOND READING.

Order of the Day for the Second Reading, read.

The Earl of AIRLIE, in moving that the Bill be now read a second time, said, its object was to assimilate the law of Scotland to that of England respecting the creation of burgesses. As their Lordships were aware, in England the only qualification for the creation of burgesses was that they paid rates; but that was not so in Scotland, and this measure had been introduced by three Members who represented the largest constituencies in Scotland for the purpose of remedying the defect. The qualification for burgesses would simply consist of the payment of rates.

Motion *agreed to*; Bill read 2^a accordingly, and *committed* to a Committee of the Whole House on *Monday* next.

UNIVERSITY OF CAMBRIDGE—LEGISLATION.—QUESTION.

Earl GRANVILLE said, that at the request of his noble Friend (the Duke of Devonshire) he was about to ask the Question of which his noble Friend had given Notice, Whether Her Majesty's Government can inform the House what course they will take respecting the Cambridge University Bill? As Chancellor of the University of Cambridge, his noble Friend thought it of much importance that the Bill should be introduced this year and as early in the Session as possible. When introducing the Oxford University Bill the noble Marquess opposite (the Marquess of Salisbury) said that the bringing in of the Cambridge Bill would depend very much upon the reception given to, and the progress made with, the Oxford Bill. Now, although unquestionably objections had been raised to some of the provisions of that Bill, there had been no unreasonable delay—indeed they had sought to avoid delay. The Question which he now put on behalf of his noble Friend concerned not only Cambridge but Oxford also; because—as he had ventured to say on a former occasion—the legislation for both Universities ought to proceed *pari passu*, though perhaps in different Bills. If the Cambridge Bill was to be of the same character as the Oxford Bill, there was no objection to its being introduced and passed *pari passu*. On the other hand, if it was to be different it was very important they should know what that difference was—and this was information which their Lordships ought to be put in possession of before they went into Committee on the Oxford Bill. Within the last few days he had heard a rumour—perhaps it was one of those reports to which credit ought not to be given—that it was the intention of the Government to remit the Cambridge Bill to the hands of a private Member, by whom it would be introduced in the other House of Parliament. After the statement made on this subject by the Prime Minister last year—that this was a work of legislation which no Government could longer delay—and the announcement in the Speech from the Throne at the beginning of the present Session, he hardly thought that the rumour to which he had alluded could be correct. But, at all events, it appeared to him that every argument was in favour of the Government giving the information for which he was now asking. True the noble Marquess said on a former occasion that to delay the Cambridge Bill for a year or two after the passing of the Oxford Bill would only be following the precedent of what was done in 1854. The analogy which the noble Marquess would have established did not stand good. The Bill of 1854 was an enacting one, which gave directions as to what was to be done by the Commissioners; but the present Bill for Oxford University conferred very extensive powers on the Commissioners without giving them directions, and although up to this their Lordships did not know who the Commissioners were to be. He repeated that he could see no objection to a statement by the Government with respect to their exact intentions as to Cambridge University; while, on the other hand, such a statement would much facilitate their Lordships when they were called upon to deal with the Oxford Bill in Committee.

THE MARQUESS OF SALISBURY said, the Government had no other intention in the matter than that the Bills for the two Universities should be introduced and carried through under the authority of the Government. The Cambridge Bill would be introduced immediately after Easter. But, solely with a reference to the composition of the Government, it was thought it would be more convenient that it should be introduced in the House of Commons. He feared that he (the Marquess of Salisbury) would make but a poor figure if he had to introduce it in presence of the noble Duke (the Duke of Devonshire) the Chancellor of the University of Cambridge. As, then, the Cambridge Bill was to be introduced in the House of Commons, and immediately after Easter, perhaps it would be scarcely respectful to discuss it beforehand in their Lordships' House.

EARL GRANVILLE thought that, without discussing the provisions of the Bill, the noble Marquess might perhaps feel himself at liberty to say what its character was to be.

THE MARQUESS OF SALISBURY replied that its character would be the same as that of the Oxford Bill. But he had always understood that Cambridge men very much complained that it should always be assumed that when anything was done with reference to Oxford University the same thing was necessarily done for Cambridge; but the general idea of the Government must be the same for both Universities. But he thought that as the Bill was shortly to be introduced into the other House, it would be very disrespectful if he said anything about it at present.

House adjourned at half past Five o'clock,
till To-morrow, half past
Ten o'clock.

HOUSE OF COMMONS,

Thursday, 23rd March, 1876.

MINUTES.] — SELECT COMMITTEE — Railway Passenger Duty, *nominated.*

PUBLIC BILLS — *Resolution in Committee — Ordered — First Reading*—Beer Licences (Ireland) * [113].

Second Reading—House Occupiers Disqualification Removal * [29] *debate further adjourned.*

Select Committee—Burghs and Populous Places (Scotland) Gas Supply * [5], Sir William Cuninghame and Mr. Dundas *added.*

Committee—Merchant Shipping [49]—R.P.

Committee—Report—(£10,029,550 *5s.* 1*d.*) Consolidated Fund *.

Third Reading—Royal Titles [83], and *passed.*

MERCANTILE MARINE—LIGHTHOUSES.

QUESTION.

MR. EVELYN ASHLEY asked the First Lord of the Treasury, Whether any steps are being taken or contemplated by the Government on the subject of a Memorial recently addressed to him, and extensively signed by Shipowners throughout the United Kingdom, relating to the maintenance of Lighthouses out of National Funds, and their management by a Central Board?

MR. DISRAELI: The Memorial has been received, and is at present before the Government.

BURIAL SERVICES—THE DORE BURIAL CASE.—QUESTION.

MR. OSBORNE MORGAN asked the Secretary of State for the Home Department, Whether his attention has been called to a paragraph in "The Daily News" of March 16th, headed "Painful scene in a churchyard," and purporting to be copied from "The Sheffield and Rotherham Independent," and to give an account of the burial of the infant son of William Sanderson, farm labourer, in the churchyard of Dore, near Sheffield; and, whether it is true, as stated therein, that the Reverend J. T. F. Aldred, the Vicar of Dore, informed the father of the boy that "he could not inter the boy inasmuch as he had not baptized him," although the deceased had been baptized in the Dore Primitive Methodist Chapel; and, if so, whether such refusal is not contrary to Law?

MR. ASSHETON CROSS: I know nothing whatever of this case, except from a letter which I have received from the Vicar; and, if the hon. Member wishes, I will read it. He writes—

> "Sir,—In reference to Mr. Osborne Morgan's Question forwarded to me in your communication of the 21st, I am glad to be able to inform you that the statement quoted by him from *The Daily News* of March 16, and purporting to be copied from *The Sheffield and Rotherham Independent*, stating that I had informed the father of the boy that 'I could not inter the boy inasmuch as I had not baptized him' is untrue. The clergyman who officiated at my request in my absence on the occasion in question refused, and, in my opinion, justly, to permit a Dissenting Minister to accompany a funeral and perform a service within the limits of the churchyard. You will perceive from the enclosed printed slip that an appeal having gone to the Bishop of the diocese, an investigation into the facts of the case will be made, and, should you desire it, the result will be forwarded to you."

I received that letter this morning, and it is all that I know about the case.

MR. OSBORNE MORGAN said, the Question had scarcely been answered. He wished to know if the clergyman had refused to inter the child with the services of the Church? He would take the liberty on a future day of repeating the Question.

CRIMINAL LAW (IRELAND)—KERRY ASSIZES.—QUESTION.

MR. HERBERT asked the Chief Secretary for Ireland, Whether it is true that the foreman of the jury who tried and acquitted Quilter on a charge of murder at the recent Assizes in Kerry, on the 3rd of March, was fined ten shillings at the Killarney Petty Sessions on the 7th March for being drunk in the streets?

SIR MICHAEL HICKS-BEACH: Yes, Sir, it is true.

ARMY—INSUBORDINATION AT ALDERSHOT—ST. PATRICK'S DAY.

QUESTION.

MR. CALLAN asked the Secretary of State for War, Whether the statement is correct which appeared in the London morning journals of Saturday last, that—

> "For playing 'St. Patrick's Day' on the parade ground at Aldershot early in the morning of St. Patrick's Day, fifteen drummers and fifers of the 1st battalion of the 15th Foot, were made prisoners and confined in the guard room. They played without let or hindrance or fear of confinement on past occasions;"

and, whether they or any others have been since further punished for the same transaction; and, if so, to further ask, whether the bands of the 23rd Royal Welsh Fusiliers, and the 41st, the Welsh, do not usually play Welsh national airs on the morning of St. David's Day "without let or hindrance or fear of confinement," and in truth and fact did on the morning of St. David's Day in the present year and month, at Cork and Shorncliffe, play the "March of the Men of Harlech" and other Welsh airs, and neither drummers nor fifers were therefor "made prisoners and confined to the guardroom," and further punished; and, if so, to ask, why the playing of "St. Patrick's Day" by the drummers and fifers of the 1st battalion of the 15th Foot was visited with exceptional penalties?

Mr. GATHORNE HARDY, in reply, said, that in consequence of the hon. Member's Question relating to the punishment of certain drummers and fifers at Aldershot for playing national airs he had made inquiries into the matter, and he found that the Question did not very accurately represent the whole of the circumstances of the case. The drummers broke out of barracks a few minutes before midnight on the 16th instant, taking with them the drums and fifes, the property of Government, and for this military offence they were punished, and not for playing any particular airs. Two lance-corporals and one drummer had been remanded for trial by a regimental Court-martial, which had not been proceeded with, pending the reference of the matter to His Royal Highness the Field Marshal Commanding. The remainder of the drummers had been sentenced to 28 days' confinement to barracks. The act was a grave breach of discipline, contrary to the Queen's Regulations, both as regards quitting barracks without permission and playing after tattoo. The officers commanding the 1st battalion 23rd and 41st Regiments had reported that the bands of their regiments never played Welsh airs on St. David's Day without permission, and did not do so on last St. David's Day without permission. The drummers of the 1st battalion 15th Foot had not played on former occasions without permission, and consequently had not been punished. But perhaps the hon. Member was not aware that the 15th Foot was not an Irish regiment, but belonged to the East Riding of Yorkshire.

MERCHANT SHIPPING ACTS—UNSEAWORTHY SHIPS.—QUESTION.

Mr. STACPOOLE asked the President of the Board of Trade, If he would state to the House the number of prosecutions instituted since the 1st day of January 1874 by the Board of Trade in England, Scotland, Wales, and Ireland respectively, against persons for sending unseaworthy ships to sea; the number of convictions; and the sentences respectively pronounced?

Sir CHARLES ADDERLEY: Eight prosecutions have been instituted by direction of the Board of Trade, since the 1st of January, 1874. Two of these have been in England and three in Ireland. None have been instituted in Scotland. There have been three convictions; three cases in which the magistrates refused to commit; and two cases are pending. The sentences pronounced were as follows:—In the first case, in which two persons were prosecuted, the sentence was two months' imprisonment, and a fine of £150 against each defendant; in the second case the sentence was two months' imprisonment and a fine of £300; in the third case the sentence was two months' imprisonment. Before the late Act, passed temporarily at the end of last Session, there had only been two prosecutions. Sufficient time has not elapsed to test the working of the new Act; but if the old Act had been as comprehensive as the new, probably there would have been more action, and the new Act has no doubt been more effectual in preventing the offence than in prosecuting offenders. The Report of the Solicitor of the Board of Trade, dated the 31st of January last, which was presented early in the Session, contains full information upon the subject of these prosecutions up to that date.

THE CIVIL SERVICE—LOWER DIVISION OF WRITERS.—QUESTION.

Colonel NAGHTEN asked Mr. Chancellor of the Exchequer, Whether the Government will be prepared to relax the restriction in Clause 12 of the Order in Council of the 12th February last, whereby writers in the Civil Service who have not served for three years prior to that date are debarred from appointments to the Lower Division of the Service, in favour of such writers, who being otherwise qualified, may have previously served the State as Officers of Her Majesty's Army?

THE CHANCELLOR OF THE EXCHEQUER, in reply, said, that in all cases of open competition for the Civil Service, where there was a limit of age, persons who had served in the Army or military service, either as commissioned or non-commissioned officers, were allowed to deduct the period of their service from their age. So that a man who had served up to the age of 24 in the Army, for instance, would be allowed to compete for an appointment which, under ordinary circumstances, would only be open to men of 20 years of age.

EDUCATION (IRELAND)—"RESULTS EXAMINATION."—QUESTION.

MR. O'REILLY asked the Chief Secretary for Ireland, If he can state what has been the cause of the very great delay in many cases in communicating to teachers the results of the "results examination" and making the consequent payments; whether it could not be obviated in the future; and, whether there would be any difficulty in the examiner at once letting the teachers know what children had passed?

SIR MICHAEL HICKS-BEACH, in reply, said, it was the rule for the Commissioners to inform the teachers of schools what children had passed as soon as possible, and he was not aware that that rule had been departed from in the present instance, although there had been some unavoidable delay in making the consequent payments, owing to the fact that the precise amount of those payments depended on the course taken by the Guardians with reference to the National Teachers Act of last Session, and thus could not be ascertained until nearly the close of 1875. This cause of delay would not recur in future.

INDIA—THE INDIAN CIVIL SERVICE. QUESTION.

MR. LYON PLAYFAIR asked the Under Secretary of State for India, Whether the terms used in Lord Salisbury's Despatch of 24th February 1876, to the Governor General of India in Council, viz., that selected candidates for the Indian Civil Service are to be paid an annual allowance of £150 if they pass two years of their probation—

> "At some University (to be approved beforehand by the Secretary of State) at which moral responsibility for the conduct of the students is undertaken, and rules of discipline are enforced,"

will exclude the Colleges of the London University, such as King's College, University College, and Owen's College, Manchester, and the Colleges and Universities of Ireland and Scotland, as these do not enforce collegiate residence, though they undertake intramural moral responsibility for the conduct of students, and enforce rules of discipline; and, if so, whether a practical monopoly is thus given to Oxford and Cambridge?

LORD GEORGE HAMILTON, in reply, said, it was certainly not the intention of the Secretary of State to give any practical monopoly to Oxford and Cambridge, provided the other Universities undertook moral responsibility for the conduct of students and enforced rules of discipline, nor did he think the words used conveyed any such wish. The Secretary of State desired to give those words a liberal interpretation. The scheme, however, would not come into operation until July, 1878.

INDIA — LEGISLATION — PRESIDENCY MAGISTRATES BILL.—QUESTION.

MR. FORTESCUE HARRISON asked the Under Secretary of State for India, Whether his attention has been directed to the Presidency Magistrates Bill, now before the Council of the Governor General of India, and particularly to paragraphs 88 and 89 of the said Bill, which, while authorising a single magistrate to sentence a year's imprisonment and forbids an appeal on behalf of the prisoner, expressly provides for an appeal to a superior court whenever the Government is dissatisfied with the magistrate for acquitting a prisoner charged with an offence making him liable to the same term of imprisonment; and, if so, whether the powers now sought to be conferred by this Bill are not in excess of what the Legislative Council of India, as at present constituted, had authority to grant; but, whether this be so or not, to ask if the Secretary of State for India will at once take steps to prevent the

Bill, in its present shape, passing into law?

Lord GEORGE HAMILTON: The Presidency Magistrates Bill appears to have been introduced into the Indian Legislative Council before the receipt by the Governor General of the despatch of the 31st March, 1874, requesting him to furnish the Secretary of State in Council with information concerning intended Government legislation. We know, however, from papers received by the last mail, that this Bill has been republished in *The Gazette* with a view of inviting criticism. Its chief object is to apply the rules of the Indian Code of Criminal Procedure to the jurisdiction of magistrates in the Presidency towns. There is no doubt that the measure, which consists of 251 sections, is on the whole expedient; but as to the power of appeal against an acquittal, it is a point for consideration whether it should apply to the Presidency towns. The matter will not fail to have the attention of the Secretary of State in Council. At present he must either assent to or veto a Bill in its entirety, and it is very inconvenient to be compelled to veto a measure of this magnitude on account of one, possibly, objectionable clause. I am advised that the present enactment is not in excess of the legislative power of the Government of India.

OFFICE OF CORONER (IRELAND).

QUESTION.

Mr. O'SHAUGHNESSY asked the Chief Secretary for Ireland, If it is the intention of Her Majesty's Government during the present Session to move for a Committee to consider the advisability of legislation on the office of coroner in Ireland, or to take any other step on the subject?

Sir MICHAEL HICKS-BEACH, in reply, said, he had last Session, in the debate on the Coroners Bill, expressed an opinion that it was advisable that an inquiry should take place, and he was rather surprised that no steps in reference to the subject had been taken this Session by any of those who had previously brought it before the House. The question was not one of great urgency, and the amount of other business already on his hands precluded him from moving in the matter—at any rate, at present.

ARMY—MEDICAL OFFICERS.

QUESTION.

Mr. DUNBAR asked the Secretary of State for War, Whether he will extend to the Medical Officers of the Army the right to exchange to the same extent as conceded to the other officers of the Army by the Act of last Session?

Mr. GATHORNE HARDY, in reply, said, that no right of exchange existed anywhere, because it was a matter of permission. But with respect to medical officers, every application for exchange was carefully considered and decided on its own merits; as a rule no application of a medical officer was refused; and he did not, therefore, propose to make any alteration on the subject.

VIVISECTION—LEGISLATION.

QUESTION.

Mr. WAIT asked the Secretary of State for the Home Department, Whether he has any intention during the present Session of bringing in a Bill on the subject of Vivisection of Animals?

Mr. ASSHETON CROSS, in reply, said, that the Government did not in any way underrate either the importance of the evidence given before the Royal Commission, or the clear manner in which the Commission had gone into and reported upon the question. At present, however, he regretted to say he could not do more than give the hon. Member an assurance that the subject would receive the careful consideration of the Government. He could not state whether any immediate legislation would be proposed or not.

INTERNATIONAL SUBMARINE TELEGRAPHS.—QUESTION.

Mr. E. NOEL asked the Under Secretary of State for Foreign Affairs, Whether, in the present state of International Law, there is any adequate mode of procedure against such an offence as the wilful breaking of a submarine telegraph cable outside territorial waters; and, whether any Treaties exist between Her Majesty and the other maritime powers on this subject?

Mr. BOURKE: There are no Treaty stipulations respecting submarine telegraph cables, nor has the question been raised internationally as far as this country is concerned; but as to whether there is any remedy against the wilful breaking of submarine telegraph cables outside territorial waters, I can only say that no definite case has been brought to the notice of Her Majesty's Government, and therefore I am unable to give any opinion upon the subject.

INDIA—THE EX-CHIEFS OF KIRWEE.

QUESTION.

MR. GREGORY asked the Under Secretary of State for India, Whether a complete Return of the proceeds of all moveable property obtained by the Indian Government from the ex-Chiefs of Kirwee has been furnished, in accordance with the Order of the House of Commons, dated the 23rd day of July 1874, by His Excellency the Viceroy of India; and, if not, whether Her Majesty's Government has taken any steps to ensure a prompt Return of the whole of the moneys belonging to those Princes which passed into the possession of the local authorities, as well as of all treasure found by the troops at Lucknow?

LORD GEORGE HAMILTON, in reply, said, that he had not yet received a complete Return. When the remainder of the Returns had been received, he would supply the hon. Member with the information they contained.

VACCINATION ACTS—MILNER'S CASE.

QUESTION.

MR. PEASE asked the President of the Local Government Board, Whether his attention has been called to the case of Mr. Milner, the Chairman of the Keighley Board of Guardians, who has been committed for ten days' hard labour for the non-payment of a fine of 10*s*. for the non-vaccination of a child; and whether it is his intention to make some alteration in the Law on this subject?

MR. SCLATER-BOOTH, in reply, said, his attention had not been called to the subject, except through the Question of the hon. Gentleman. No one regretted more than he did the necessity for prosecutions under the Vaccination Acts, especially when they were repeated a number of times. As, however, his hon. Friend quoted the case of a Chairman of a Board of Guardians, he might remark that it was the duty of a person filling such a position to see that the law was enforced, and not to set an example of disobedience to it. Moreover, the payment of the fine would at once release Mr. Milner from prison. It was not his intention to propose to the Government any alteration of the law; and, even if an alteration of the Vaccination Acts were proposed, Parliament would probably not consent to it.

COOLIES—THE ISLAND OF REUNION.

QUESTION.

MR. ERRINGTON asked the Under Secretary of State for Foreign Affairs, Whether any Reports were received in the years 1872, 1873, 1874, and 1875, from Her Majesty's Consuls in the Island of Reunion on the condition of Indian Coolies in that Island; and, if so, whether he has any objection to lay a Copy of such Reports upon the Table of the House.

MR. BOURKE, in reply, said, that Reports had been received, and representations had been made to the Government of Madras; but the Government did not consider it desirable that these representations should be laid before the House.

JAPAN—NEWSPAPER REGULATIONS.

QUESTION.

SIR CHARLES W. DILKE asked the Under Secretary of State for Foreign Affairs, Whether the Government approve of the following "Regulation" lately issued by a British Minister:—

> "Any British subject who shall within the dominions of His Imperial Majesty the Mikado print or publish a newspaper in the the Japanese language, shall be deemed guilty of an offence, and upon conviction thereof before any British Consular or other Court, shall be liable to imprisonment for any term not exceeding three months, with or without hard labour."

MR. BOURKE: The Regulation to which the hon. Baronet has alluded was issued by Her Majesty's Minister in Japan in consequence of representations that were made to him by the Japanese Government respecting the publication of newspapers in Japan and in the Japanese language by persons who were British subjects, and therefore, according to our Treaty with Japan, were not amenable to Japanese authority, but were amenable to the authority of the

Consular Court. We have not yet received the full particulars, which we expect by the next mail; and, therefore, I am unable to say whether or not the British Minister's Regulation will be approved.

UNREFORMED MUNICIPAL CORPORATIONS (ENGLAND AND WALES)—ROYAL COMMISSION.—QUESTION.

Mr. TREMAYNE asked the Secretary of State for the Home Department, Whether it is the intention of the Government to institute during the present year an inquiry into the Unreformed Corporations in England; and, if so, whether he will specify the nature of the inquiry which will be made?

Mr. ASSHETON CROSS, in reply, said, that in accordance with what fell from him during the recent debate on this subject, it was the intention of the Government to advise Her Majesty to appoint a Royal Commission, composed of persons of great experience, to inquire especially into the criminal jurisdiction, and also into the revenues of unreformed corporations.

METROPOLIS—HYDE PARK—THE SERPENTINE.—QUESTION.

Mr. PEASE asked the Secretary to the Treasury, If he is in a position to take steps to prevent the further outlay of money on the earth mounds, on the south side of the Serpentine, during the period while the accident to the noble Lord the Chief Commissioner of Works prevents his attendance at this House and the discussion of the subject?

Mr. W. H. SMITH, in reply, said, that he had communicated with his noble Friend the First Commissioner of Works, who informed him that it would not be possible to delay planting the mounds in Hyde Park, as the season would be lost, and they would be left for the whole year in their present unsatisfactory condition. The First Commissioner of Works drew attention to the fact that this particular work was especially noted in last year's Estimates, and Parliament voted the money specifically, which had been expended upon them. He was sorry that he could not give the hon. Member a reply which would be more satisfactory to him.

Mr. PEASE gave Notice that on going into Committee of Supply he would call attention to the earth works in Hyde Park, and move a Resolution.

EGYPTIAN FINANCE—MR. CAVE'S REPORT.—QUESTION.

Mr. W. CARTWRIGHT asked the First Lord of the Treasury, If he could say when the Report of Mr. Cave, on his mission, is likely to be presented?

Mr. DISRAELI: When I was last asked the Question on this subject, I said I had not seen the Report of Mr. Cave. Since then it has been sent to the Government, and I have had the advantage of reading it; but on reading it I felt—and that feeling was unanimously shared by my Colleagues—that it was necessary, first of all, to communicate with the Khedive on the question of the publication. That communication has been made, and the Khedive has expressed a strong objection to this Report being made public in the present unsettled condition of Egyptian finance; and, considering that much of the information contained in the Report has been supplied by the Khedive himself, and is of a confidential character, we feel bound to respect his wishes in this matter.

ROYAL TITLES BILL—[Bill 83.]

(*Mr. Disraeli, Mr. Secretary Cross, Mr. Attorney General, Lord George Hamilton.*)

THIRD READING.

Order for Third Reading read.

Motion made, and Question proposed, "That the Bill be now read the third time."—(*Mr. Disraeli.*)

Mr. PEASE said, since the Bill had been introduced he had taken a very strong view on the question of the policy of the measure as a whole. The Bill, it was true, consisted only of a single clause, and that clause was one which gave Her Majesty power by Proclamation to add to her Royal titles; but the only interpretation which they had had of the clause was the information which had been presented to the House from time to time by the Prime Minister. Now, he wanted to call attention to the position which they occupied. It appeared from the statements of the Prime Minister that "Empress" would be used as little as possible in England, and only in connection with Indian affairs, so that the people would be free to withhold the new title in England. We had, however, already had, from a high municipal authority, an example of the use of the title; and what he feared was, that there would be two parties in this country—one using the term Empress and Imperial, and the other using Queen and Royal. Such a state of things would be inimical to the peace and tranquillity of Her Majesty's reign, and to the harmony which ought to exist in a country like this. They were by this Bill giving Her Majesty a title limited—and he objected to any title which was limited—to one portion of Her Majesty's dominions. Such a limit was a thing utterly unknown in the Constitution of this country. It seemed to him that such a limit was contrary to the dignity of the Crown, and anything which was adverse to the dignity of the Crown prevented that respect being paid to the Throne which he thought it was eminently entitled to; and further, anything which impaired the dignity and respect for the Crown damaged the Constitution as they at present enjoyed it. The title had been sanctioned, it was true, by a majority in that House, but it was opposed by an important minority, who declined to offer Her Majesty such a title, believing that it would place the Sovereign in such a position as no Sovereign had ever been placed in, and which was contrary to the dignity and honour of the Throne. The hon. Member for West Cumberland (Mr. Percy Wyndham) said that in India the Queen was at the head of a despotic Government, and therefore the title of Empress would be a suitable one there. Thus it would go forth to the people of India that Her Majesty was going to assume over them a title which had been almost unanimously rejected by the people of England. As far as this country was concerned, that appeared to him to be almost an insult. ["No!" *and* "Yes!"] The people of this country said that they did not wish Her Majesty to take the title of Empress ["No!" *and* "Yes!"]—and they were telling the people of India that they would not have the title of Empress themselves, but it was good enough for India. All he had heard of the Princes of India induced him to think that they were men of great intellectual power, who studied their own position, and read with interest the debates in this House. Would they not appreciate the fact that the title which the people of England rejected was to be given to Her Majesty as a symbol of despotic power in India? The Native Princes were being treated in a manner which he feared they would one day resent; and such treatment was a poor return for the hospitality and loyalty they had shown to the Heir to the Throne in his recent visit. Whether, therefore, he looked at the matter as it regarded Her Majesty the Queen, or, as the right hon. Gentleman had said, as it regarded "the Princes and the nations of India," he would far rather this Bill had never been introduced, and would very much deprecate its being read a third time.

Mr. NEVILLE-GRENVILLE said, he did not know how many had petitioned in favour of the Bill, but he believed only 98 persons had petitioned against it. When the House considered that 9,000 persons petitioned for the release of the Tichborne claimant, and that 155,000 had petitioned for doing away with the political disabilities of women, they would be apt to conclude that the Petitioners against the Bill were very few indeed. The point, however, which he wished to raise was this—would any addition be made to the Royal Coat of Arms? It should be borne in mind that when the Elector of Hanover became King of this country, the arms of Hanover were quartered on the Royal Standard, and when Her Majesty married the Prince Consort, his arms were also quartered on the Royal Standard, and were adopted by the Royal children. This was a matter which should not be lost sight of.

Mr. PEASE wished to make an explanation. He did not intend to convey to the House that he believed that the majority of the people of England were against this Bill. What he said was that the majority of the people of England declined to accept the title of Empress as applied to the Queen of England.

Mr. ANDERSON said, the hon. Gentleman the Member for Mid Somerset (Mr. Neville Grenville) had spoken of the small number of persons who had petitioned against the Bill, but he had omitted to state how many had petitioned in its favour, and he (Mr. Anderson) doubted very much whether there had been one single Petition so presented. He thought that on this, the last stage of the Bill, they ought not to allow so very obnoxious, offensive, and objectionable a measure to leave this House without giving it a parting kick; and he hoped that when it went to "another place" it might receive such a reception as would put an end to it altogether. The explanations given by the Prime Minister the other night were explanations which satisfied the House that they ought to have been made long ago; but they were not otherwise satisfactory. Nobody ever for a moment imagined that Her Majesty's Government would be so insane as to recommend Her Majesty to adopt the title of Empress in England, or to recommend her to make the Royal Princes and Princesses "Imperial." Nobody ever imagined that the Queen would of herself, under cover of this Bill, assume such titles. What was dreaded was that in spite of the Government, and in spite of the Queen, these offensive titles would in time come into the country and into use. What was dreaded was that all the toadies, snobs, and sycophants of the country would begin to use the title—and, most of all, municipal sycophancy was dreaded. Something had occurred since he last spoke on the question that afforded even greater reason for such a dread. He had been told, on authority which he could not doubt, that a Gentleman occupying the high position of a Member of this House, and the high position of Lord Mayor of the City of London, had actually, in dispensing his civic hospitalities, so trespassed on his guests as to endeavour to thrust down their throats this offensive title. The hon. Gentleman to whom he referred was now in his place, and he could contradict the statement if it were incorrect. He (Mr. Anderson) spoke from information he had received, and he regretted extremely that any Member of this House should have done such a thing; and he especially regretted that the Lord Mayor of London should have set such a pernicious example to all the other municipalities of the country. When they had such an example set by the Lord Mayor of London, what might they not expect from municipal toadyism in other parts of the country? But he would pass from this point, and ask what about the feeling of the people of India? They had been told that this was to be a very agreeable thing to the people of India; that it was done in their interest, and because they would like it. But they had now heard from India. He had read extracts from some of the Indian Native newspapers, and it turned out that the people of India, in place of looking upon this as a message of peace and goodwill in return for the hospitable reception they had given to the Prince of Wales, looked upon it with very great disfavour indeed. If that were so, he believed the people of England would dislike it still more, because, instead of the compliment intended, it would tend to stamp Indian institutions and Indian rule as permanently despotic. We ought, instead of carrying such a title to India, to give the people the hope that they might in time arrive at representative institutions like our own—we ought to give them a share in our own Royal title, and not create for them and try to reserve for their separate use a despotic title which they disliked, and we disliked also. He feared that in the future we should very much regret what was now being done in the matter.

Mr. A. MILLS, with reference to the statement of the hon. Member for Glasgow (Mr. Anderson) that he doubted whether any one had petitioned in favour of this Bill, said, that he (Mr. Mills) had himself presented a Petition from his constituents, in which they prayed that the Bill might be passed, as the title of "Empress" was the most suitable to be given to Her Majesty in connection with her Indian Empire. In that opinion, which was the opinion of those who brought forward the Bill and of the very large majority who supported it, he entirely concurred; because the title of Empress best conveyed to the Natives and Princes of India that Her Majesty was Sovereign of Sovereigns, and that the idea should be ever present to their minds that their great Sovereign was in England Queen.

Mr. GLADSTONE: I beg leave to doubt whether my hon. Friend who has just sat down has mended the matter. He likes to proclaim through his mouth to the people of India that sovereignty is now for the first time by law to be definitely assumed over India. I do not wish to share his responsibility; and, notwithstanding the high character that he bears, I trust that those whom his words may reach in India will not regard him as an empowered and authenticated organ of the British Legislature and nation. I agree very much with the substance of what fell from my hon. Friend the Member for Glasgow (Mr. Anderson), but I shall not use his decisive language. But I wish to say a few words before the third reading of the Bill is passed. I cannot bring myself to doubt that it will be read a third time without a division; but we do not regard the measure as settled—in fact, I think it a duty not to regard the matter as settled—until it has finally obtained the assent of both branches of the Legislature. I know very well that in the House of Lords Her Majesty's Government are not less happy than in this House in the adherence and support of a very compact majority; but it is simply as a matter of duty, and not as expressing what I think a very probable alternative, that I have used the language that we ought not, until the last moment, to regard this matter as settled. I wish just to point out what I think we have gained in the discussions on this Bill and what I think we have failed to gain. The discussions have been remarkable in this respect, as well as in other respects — that information has been communicated to us in a very progressive manner by Her Majesty's Government. Almost every stage of the Bill has presented the sentiments of Members in a new character, and therefore I think it desirable to review briefly what I take to be its exact position at the present moment. I am not going to make any charge, or to offer, what is the dullest of all things, a defence against any charge. I think the charge of using the machinery of Party against this Bill has been unnecessarily and unjustly made. I make no charge against Her Majesty's Government for using the machinery of Party in favour of the Bill. When measures of this kind are introduced by the Government it is absolutely necessary, if they think that their public duty requires them to persevere with their proposal—it is absolutely necessary for them to use the machinery of Party in favour of it. But with respect to hon. Gentlemen on this side of the House, I must say that it appears to me that there are none of the evidences or indications which would warrant a charge of that nature. When the Bill was originally introduced it was not opposed with the evidence of concurrence and combination on our part. Only a single Member—at any rate who had ever borne office on this side—my right hon. Friend the Member for the University of London (Mr. Lowe)—expressed what at the time many felt, and he was most anxious to put all his statement, not in the form of definitive opposition to the Bill, but simply in the shape of questions and in the expression of misgiving. Now, Sir, when we come to the important division on the Bill, I think I may say that, as far as information has reached me, every man who voted in the minority on that occasion did so under strong and conscientious convictions. I mean convictions of his own. I do not mean to say that other votes were not conscientious; but I think it would be difficult for any one to assert the same of all in the majority by which the Motion of my noble Friend was defeated. [MR. D. ONSLOW: No, no.] Does the hon. Member object to what I have said?

MR. D. ONSLOW: The right hon. Gentleman said that all the conscientiousness was on his side of the House, and that we did not vote on this side conscientiously, intimating that we were not sincere.

MR. GLADSTONE: I did not say that. I said expressly that I did not say their votes were not conscientious. But the conclusion I wished to draw was this—that the votes of the minority, in my opinion, expressed a conviction on the merits of the proposal; but I doubted very much—and I still doubt—whether any Minister will say he believes all the votes of the majority in like manner expressed a conscientious conviction on the merits of the question. ["Oh!"] I am surprised, and I am quite sure that those who express displeasure are persons very little used to debate in this House, and can only very recently have given their attention to these matters. Convictions, of course, are always conscientious. Every conviction is conscientious; but many a Gentleman supports a measure without a positive conviction in favour of that measure on its merits, though he has a conscientious belief that, upon the whole, he best discharges his public duty by supporting it. I have not a doubt that all those who gave their votes in support of this measure had convictions as conscientious as those which we gave in the minority; but my point is that the votes of the minority, as far as I know and believe, were given in opposition to the merits of the measure. The votes of the majority, I believe, were given with equal conscientiousness, but were given partly only in approval of the measure, though, in the circumstances in which it was introduced by the Government, and from the feeling which is entertained towards the beloved Sovereign who sits on the Throne of these Realms, they felt that they did their duty by supporting it. I am extremely anxious to be understood on this point. I should be ashamed of myself, and should think myself blameable, if for a moment it could be supposed that I presumed to deny that those who voted in the majority did so as conscientiously as those who voted in the minority. But my meaning was wider and directed to a different purpose. If it were only the spirit of Party which dictated opposition to this measure, how was it that the remarkable change in the Press was noticed the other night by the Chancellor of the Exchequer? The spirit of Party just now is not particularly alive to the action of the Press; and especially of the Metropolitan Press. My right hon. Friend noticed that state of things, and said it was due to unreasoning panic, which was justly distinguishable from the mere action of Party. I am quite sure this could not fail to be observed by those who considered the Division List. They could not fail to have noticed that some of the weightiest, some of the most experienced, some of the most impartial, some of the most respected Members of the Party opposite entirely declined to give their votes in favour of the second reading of the Bill. They were entitled, if they pleased, to take that course, but we are also entitled to point to it as exhibiting on their part a proof that the opposition to this measure was not a Party opposition. But I pass from that subject. I wish to show—and I hope I do show to the satisfaction of reasonable minds—that such a change had better not be introduced, inasmuch as it has no effect excepting that of embittering controversy, and inasmuch as there is not only no positive evidence to support it, but there is positive evidence to refute it. With respect to the measure itself, I apprehend that we have gained in the discussion, at any rate in point of knowledge, upon two points. In the first place, we understand from Her Majesty's Government that it is their intention that this title shall be, as far as possible, only employed as a local title. There are very great disadvantages in such a use of any title belonging to Her Majesty. At the same time, as far as that goes, it is a gain, and I am very glad to consider it as placed on the record. We have also gained a most explicit declaration that the India mentioned in this Bill is, not only in the view of Her Majesty's Government, but is also in the view of the law, according to the opinion of their Law Officers, the same India, and no other India, than that which was mentioned in the Act of 1858, and that therefore, whatever my hon. Friend who spoke just now may say, there is no new assumption of rights intended or contemplated by this Bill, but that the relations which have subsisted between this country and India up to the present time remain unchanged, the alteration that takes place being simply and solely a change of name. In these respects I think we have gained something, although I will not say that it has removed the substantial objections to the Bill. With deep regret, and in no spirit of Party, but from conviction, which I cannot avoid, I feel obliged to come to the conclusion that it has not, and on these three grounds. First, I think we run a serious risk as regards our colonies. I should have been opposed to any step for imposing on the colonies the slightest change, even nominally, in their relations with the Crown; but I think if it so happened that public opinion in the colonies, the movements of which it is difficult for us to anticipate, should show a tendency to complain that when a particular portion of Her Majesty's dominions, not hitherto noticed in her title, was selected for the honour of that distinction, the colonies were overlooked, I should, I confess, not know what answer to make, and I think any Government, and this House, would be to blame if it left open this ground of complaint. In the second place, although it is not the intention of the Government to make use of this title excepting as a local title, I think the more we reflect the more we shall see that, independently of individual feelings—or what I may call the redundancy of the loyalty of individuals—it will be found extremely difficult to circumscribe the title. I doubt very much whether it could be circumscribed by anything short of a provision of this nature—that it never should be used except by the Local Government of India. The right hon. Gentleman at the head of the Government felt himself obliged to point out to the House that he did not mean that the application of the title would be absolutely local. I give him credit for the intention, and I wish particularly that he had taken note of the intention that it should be made local as far as it might be; but he pointed to a particular occasion—namely, the conclusion of some great diplomatic instrument having no distinct connection with India—in which usage would require the enumeration of all the titles of the Crown; and, of course, that is not a local use of the title. In the same way, my hon. and learned Friend the Member for Oxford (Sir William Harcourt) raised another objection—he asked when an appeal from any of our Indian subjects came to the Queen in Council, is the use of the title Empress to be excluded from all relation to that appeal? I know not how that may be; but it would be a singularity and an anomaly in law and procedure if the subject of an Empire, applying to an Empress in due course of law for justice under the usual forms, should be precluded from addressing her by that title under which in her local relations she is known. Then my hon. Friend the Member for East Aberdeenshire (Sir Alexander Gordon) raised another point in reference to the Sign Manual. The question has been raised whether for Indian purposes we shall have the old form "Victoria Regina," or whether it shall not be "Victoria Regina et Imperatrix." To have two Signs Manual used by one and the same Sovereign would be an innovation touching the Crown in the immediate exercise of its Constitutional functions, and one which we ought to be especially anxious to avoid, because it is in matters which lie near the centre and heart of the Constitution. These are points which have arisen casually in debate, and what I am afraid of is that a great number of such points will arise. In practice and in the administration of Government it will be found from time to time one matter and another will come forward for discussion. I believe that Her Majesty's regiments generally carry the Royal cipher on their colours. Is that cipher to be borne as it has been uniformly borne heretofore—namely, as consisting of two letters "V. R."—or is it to be altered to "V. R. I.," or any other form? If it is to be altered, that clearly would be a very important alteration in the midst of England, or within the limits of the United Kingdom. If it is not to be altered then we are landed in another unfortunate anomaly, because whilst in India the Queen will be legally not Queen, but Empress, upon the colours of her troops she will be displayed to the people of this country not under that legal title, because the letters will remain "V. R." It is not possible that the declaration of any Ministry, or that the language of any Proclamation, however prudent—and I do not doubt that there will be much consideration of the terms of the Proclamation on this subject—it is not possible to erect an effective and permanent barrier against the intrusion of the new title into this country. I hope the endeavour may be successful—I even am sanguine in the belief that for a time it will be so; but I cannot say I think, even with what we have obtained, and with all it is in the power of the Government to give us, we have any security that will be permanent and complete. Then comes the remaining point—namely, the limitation of the title to India. I have endeavoured to measure the exact force and significance of the declaration of the Government on the point; but notwithstanding that limitation, I cannot but feel that we are doing an act which is thoroughly unwise, and against the commonest prudence. However sanguine we may be with regard to the permanency of our relations with India, however strong we may feel ourselves to be in the possession of paramount power, and likewise in a much better defence, and in our firm intention and ardent desire to do our duty by the people of that country, whatever may be the foundations and sources of our hope—to introduce a novelty of this kind, which may be thought by the jealous mind to touch relations of the utmost delicacy which have been formed during the time we have been building up this gigantic fabric, and which on every occasion we have studiously avoided the temptation to define, is, I cannot but feel, an act of the class which we call "a tempting of Providence." It is all very well to say we can see no danger in it; I subscribe to it; a sound and healthy mind need not, and ought not, to see any danger in it; but the proceedings of Governments and Legislatures are not to be regulated by the idle belief that the minds of all persons, or of all communities, are at all times sound and healthy, and their judgments always wise and discriminating. In the proceedings of Government you must allow much for the weakness, much for the fluctuation of the public mind, and not a little for the designs and intrigues of evil-minded men; and if you do not guard against these designs and intrigues, though you may not share with these evil-minded men the guilt which they bear, you will share the responsibility for what ensues. I think we have had lessons enough, especially in that portion of the world, of the effects that may be produced by acts wholly unimportant, wholly inadequate, to have impressed upon our minds the propriety of caution and circumspection; to have created in us a strong determination to be limited in all our proceedings towards India by what was obviously and necessarily prudent; to run no unnecessary risks; to create no unnecessary doubts or misgivings or speculations. In what I have been saying, I have proceeded on the assumption, which I do not absolutely admit, that the title of Empress is to be adhered to. That is what I must assume as the probable conclusion of this discussion; but when I say the probable conclusion, I will not assume it as certain; I will cling as strongly as I can to the hope that a wiser course will be adopted, and more reasonable counsels prevail. I trust that in what I have said I have succeeded in removing the misapprehension as to the equal conscientiousness of all hon. Gentlemen in this House. I have made no reproach to anyone. The subject lies too deep to be settled by reproaches. There is plenty of temptation in the course of this debate to review the subject point by point, and to make what is called a Party speech upon it. I deprecate the course. I wish to reduce my whole views of the case to the limits and terms of the utmost sobriety. I do not prophesy that evils are certain to arise from the adoption of this measure—I hope they will not arise. What I perceive is that we are making room for them; and that if they do not arise, it will not be owing to our prudence and judgment, but to the beneficent influence of a Higher Power that we trust watches over the destinies of this country. I was greatly struck in the course of such reading as I have had of the comments of the newspapers, by a remark, I think in *The Spectator* newspaper, in which the writer stated that in his judgment a very large portion of the case lay in the distinction between the words Emperor and Empress. The more I reflect on that observation the more heartily do I enter into the spirit of it. I feel, and feel deeply, with reference to the Sovereign on the Throne, that this proposal loses, by the fact of its having been made under a Queen, a very large proportion of what might seem invidious in our eyes. I believe that such is the feeling of this country towards one who for nearly 40 years has exhibited upon the Throne such a model of personal and domestic life, who has manifested so high and loyal a sense of every engagement which the possession of her high station involves, and who has been the source of so many wise and beneficial influences to the people, that there is hardly any request that could be made in the name of the Sovereign which the minds and the hearts of the Members of this House, and of the people of this country would not, with one impetuous impulse, as it were, rush to gratify. But we are not dealing with the Queen alone; we are dealing with future Sovereigns; and I must say I think it is a perfectly just observation that the very change of gender, trifling as it may appear, offers to our view a difference that was almost vital, certainly of a very weighty character in relation to this proposal. I doubt very much whether if, instead of having Her Majesty upon the Throne, we had upon the Throne a King—and one of the best Kings that ever adorned the Throne—there would ever have been found a Minister either rash enough or bold enough, I will not say which, to lay such a Bill before Parliament, or bring such a proposal before the country.

Mr. DISRAELI: Sir, the right hon. Gentleman has offered us—I use the word not in an offensive, but in a classical sense—an apology for the management of the Opposition during the preceding debates on this Bill; and though I am very willing to accept from the right hon. Gentleman his assurance that he did not claim a monopoly of conviction for his friends, I am bound to say that, whether it is from an unhappy dulness of my own, or my inability to meet the unrivalled powers of casuistry possessed by the right hon. Gentleman, I am still at a loss to know, if he did not impute to us a want of conviction, what he really did mean. However, I accept the assurance he gave; though I must say we were under the faint impression of his having made an accusation which I do not remember to have heard made before in Parliament with so general an application. With respect to the regrets of the right hon. Gentleman and the arguments he offered to prove that no Party spirit had been introduced into this discussion—that it had not been introduced by those with whom he associates in political life—I always feel that we must not be very severe and critical censors of all the impulses which sway a popular Assembly. Party influences have a sort of atmospheric character when we assemble in large numbers in this House. The recollection of those with whom we habitually act, and the remembrance of the friends with whom we have served in many a struggle, do necessarily influence Gentlemen on both sides of the House. I was not aware, I confess, that in the conduct of the debates on this Bill there had been a total absence of Party feeling. I was totally unaware till the right hon. Gentleman addressed us this evening that it was this side of the House which was distinguished particularly by ebullitions of that kind. It is true I had the honour of introducing the Bill; but I did so in my Ministerial capacity, and certainly not as the Leader of a political Party in Parliament; and as the Bill proceeded, when I saw the noble Marquess opposite (the Marquess of Hartington) take the reins in his hands, after several attacks had been made of a guerilla-like nature, I did not disapprove his doing so, but I was under the impression that he was performing his public duty as the Leader of a Party; and therefore the right hon. Gentleman must not suppose that he has succeeded in instilling into the country the idea that Party feeling is confined to this side of the House, or that all those with whom he acts in public life—including, I suppose, the noble Marquess—are perfectly free from any imputation of that character. Then the right hon. Gentleman says it is very satisfactory to him to have had this opportunity of vindicating in the House, in the face of the country, his own conduct and convictions, and to take a survey of the conduct of this Bill from the beginning. He says that the information given by the Government has been of a progressive character. When I introduced the Bill I certainly did not inform the House what the title was which it was intended Her Majesty should be advised to assume; but I was perfectly frank as to the causes which deterred me from stating it. The right hon. Gentleman says there is nothing in my reason; but I spoke, of course, on the highest authority on this subject of the Royal Prerogative, and I cannot pretend to put my opinions before those of some of my Colleagues, and one especially, whose great learning and reputation are acknowledged on both sides of the House. I gave the reason why, under that advice, and with a due sense of responsibility, I did not then give the Royal title. I venture to say, as I have every reason to say from the authorities whom I consulted, that a question of Prerogative was at that moment concerned in the matter, and that until I had the permission of the Queen that could not be done. The right hon. Gentleman on that occasion flouted, as he has done since, all idea of Prerogative. Prerogative, he says, has been extinct, or virtually so. [Mr. GLADSTONE: No.] Well, I give the words of the right hon. Gentleman himself. He said that Statute and Prerogative could not co-exist. [Mr. GLADSTONE: Hear, hear.] The right hon. Gentleman cheers that statement—he who carried one of his most important measures by statute and prerogative combined. Beginning by statute, and when the statutory power failed him, having accomplished his purpose to some extent by statute, he ran to the Throne and fetched the Royal Warrant to complete his work. Well, then, the right hon. Gentleman says we gained by these prolonged debates another important point. We have ascertained, it seems, that if the Queen, by her Proclamation, accepts this title, that will make no change in the relations between the Throne and the Princes and Natives of India. Not an institution will be altered; not a manner, not a custom, not a law, will be affected; and this great result is the consequence of our discussions! Now, is there any human being alive who believes that because a person takes a name, that can change the laws and customs of a country? Who ever supposed for a moment because our Sovereign is to be called Empress instead of Queen of India that the laws of property, the social and religious institutions of the country, the powers of Princes and the prerogatives of feudatories, are all to be affected by merely assuming a name? If the right hon. Gentleman is satisfied with the many speeches he has made and the activity he has shown upon this subject, I can only say that he is more easily satisfied than I have observed him to be under any other circumstances. The right hon. Gentleman says that there are three great points in these discussions which have been satisfactorily brought forward. One relates to the colonies. Now, after our discussion the other night on this subject, it is unnecessary for us any further to discuss it. [Mr. GLADSTONE: Might I say unsatisfactory?] The right hon. Gentleman, at all events, said that he was satisfied that these points had been brought under discussion. But I have no doubt that he thought the result was unsatisfactory. Of course, according to the views which the right hon. Gentleman holds on the subject of the colonies, and which he expressed the other night, he was right in speaking of it as unsatisfactory. Our views are different; but I will not pursue that subject. I thought that upon the second point the right hon. Gentleman was satisfied—namely, that it had from the first been announced that the assumption of the title of Empress was to be limited to India, and was, therefore, to be a local title. But the right hon. Gentleman seems to think that this was developed in debate in an unsatisfactory manner. Then he says that the third point is the great difficulty of the Queen in Council. I must say that I do not see the slightest difficulty in that. The right hon. Gentleman in his argument proceeded upon a fallacious assumption—namely, that the Queen in Council sitting at Westminster is in fact presiding over a Court of Appeal from India. It is a Court of Appeal; but a Court of Appeal, not only for India, but for every part of Her Majesty's dominions. It is, therefore, in fact, an appeal to the Queen's Majesty in Council, and, whether the appeal comes from India or from Australia, the title does not change, and I imagine that there is not the slightest difficulty which can arise on that point. As to the Sign Manual, since the right hon. Gentleman spoke I have had the opportunity of conferring with those who are extremely learned in the law on that point. The result is, I imagine, that that also is one of the shadowy difficulties which will disappear in course of time. The truth is the Sign Manual of the Sovereign is simply "Victoria." Custom has added the word "Rex," or "Regina," indicated by the letter "R," and it may be convenient that in India the Queen's Sign Manual may be "Victoria Regina et Imperatrix," or it may not be. But the Sign Manual will remain as it is. I have consulted the most learned men who ever wrote on the subject, and there can be very little doubt that the Sign Manual of the Queen will be "Victoria Regina" in England, and "Victoria Regina et Imperatrix" in India. What difficulty is there in that? Are these the circumstances that are to bring about the doleful and dismal results which the right hon. Gentleman has depicted to the House? We must remember that India does not cease to be a dependency of the Crown because the Queen is called Empress there. The relations are not changed. The hon. Gentleman who opened this debate (Mr. Pease) made some statements which rather surprised me. He stated that the vast majority of the people objected to this title as unconstitutional, and as lowering the dignity of Her Majesty. He added that using the name of Empress was inimical to the peace of the country. I do not think that the hon. Gentleman is justified in making such sweeping charges without some shadow of proof. I will not mention, as I have before done, the evidence that the title of Empress was an old title in this country, and held in much reverence and honour. The hon. and learned Member for Oxford (Sir William Harcourt), when he last addressed the House, spoke of my reference to Spenser. I think it was a fair reference. He was one of our greatest writers in our greatest age, and he used that name in an honoured sense. But I was interested in observing that in Camden's *Britannia*—in the first English translation from the original Latin—it is described as "the true and Royal history of the famous Empress Elizabeth, Queen of England." So, at any rate, Camden, as well as Spenser, may be quoted as authority on that point. The hon. Gentleman (Mr. Pease) says that there is no instance of Sovereigns of this country bearing a title that they did not use in the country. How would that apply to the time when our Sovereigns were Kings of Hanover? They never used the title of King of Hanover in this country, and that is exactly the same thing. It only shows what monstrous conclusions are drawn at random when hon. Gentlemen have no solid arguments to offer. The hon. Member said that the title of Empress had been rejected by this country. Well, I say, in reply, that some proof ought to be given of such an assertion. If there had been innumerable Petitions on the subject I could have understood it. I, for one, do not depreciate the importance of the character of Petition; because, however artificial may be the organization by which they are procured, they still in a certain sense represent public feeling. But there have been no Petitions presented to this House. Have there been any public meetings? This measure has been before the House for four or five weeks, and have there, I repeat, been any public meetings? I remember asking one of the most sagacious men who ever sat in this House—Mr. Walter—father of one of our Colleagues now in the House of Commons, and a gentleman who had great knowledge of the Press and of public opinion—I asked him—"How do you ascertain what is public opinion?" He said—"Well, the way I ascertain public opinion is this. Petitions may be got up and meetings may be got up, or the country may feel a great deal without expressing its opinion either by Petitions or public meetings; but there is an infallible test, and that is the post. They way I always know what is the real feeling of the country is by the letter-bag." And it must be borne in mind that Mr. Walter had at that time the conduct of one of the most powerful journals of the country—those journals which it is now the fashion to quote in the House of Commons—it never was done when I first entered it. He said—"I receive a hundred letters a-day—and more when there is anything stirring in the country—and I thus understand and find out what is public opinion from the post-bag. It is that which tells me what the feeling of the country is, and I know it before Petitions or public meetings. They follow it." Well, I think a Minister of State has as many letters as the editor of a newspaper. I have sometimes 100 letters a-day, and have had a great many lately. Generally speaking two-thirds of these refer to the business before Parliament. They sometimes contain very crude, but sometimes very critical and useful hints. The other third consists of what may be called "crazy correspondence." Now, I have a letter which I received the day before yesterday, which I will really venture to read to the House, because it has a moral. It shows that while we have been discussing with all this learning and argument, and with an entire absence of Party feeling, and while we have been listening to the Quixotic denunciations of the right hon. Gentleman the Member for Greenwich, the people out-of-doors are astonished at our being ignorant of what they thought was well known to everybody. My correspondent is a young lady. She is only 12 years of age, so there is nothing compromising to her dignity or my own. Her father was in the House of Commons the other day listening to our debates—I do not, of course, mention her name, but it is an extremely pretty one. They live a few miles away from London. The young lady asked her father what the debate was about, and he told her the House of Commons was discussing the question whether the Queen of England should be called Empress or Queen. "What silly men they must be," said she; "I have known that for three years. "And how did you know it?" she was asked. "Why," she said, "it's in my geography book." Upon which she brought the book into her father, who sent it to me by post. Now, this is not a book to be despised, for it is in its 89th edition. I am informed by the most perfect authority on the subject—namely, the publishers themselves, that there are at this moment at least 250,000 copies of it in circulation, educating young people and others. On examining this book what do I find? There is a chapter on India—I will not read it all, but merely give a quotation. "Hindostan," it says, "is in general a flat country," and so on. And here I beg the House to remember that I am reading from the edition of 1873, which I need not say has not been printed for the occasion. At Paragraph 6 I read, "British India is under the dominion of Great Britain. Her Majesty Queen Victoria bears there the title of Empress of India." This was known even in 1873 to this young lady, and probably many people knew it many years ago. To say, therefore, that the people of England have rejected this title as something strange, is as if we had brought on something terrible like the Dragon of Wantley, which everybody must run from. If you read her letter you would be still more pleased. Well, I have here another letter written only yesterday. It is an excellent letter, in handwriting, style, and everything. I will not give the writer's name; but he will probably commend himself to hon. Gentlemen opposite, when I state that he is a Nonconformist minister. He says—

> "May I hope that you will not think it an improper trespass on your time if I call attention to the fact that while the Royal Titles Bill is so keenly discussed by statesmen, the question at issue was settled years ago by what a large party of the English-speaking people have received with unhesitating confidence as a competent authority, *Whitaker's Almanack.*"

In that work for 1861 he says Her Most Gracious Majesty is thus described—"Alexandrina Victoria, of the United Kingdom of Great Britain and Ireland, Queen, and of the Colonies and Dependencies thereof, Empress of India, Defender of the Faith." "The title of Empress of India," the writer added, "seems to have been accepted by the common sense of the nation as a simple statement of fact." Yet the right hon. Gentleman the Member for Greenwich says that this title has been rejected by the country. Well, now, I hope this Bill may pass without a Division. It passed its recond reading without a division, and if it passes its third reading in the same manner, perhaps what has occurred in the interval may be forgotten. I have had the honour of introducing this Bill, and I have impressed on the House to the utmost of my power that I at least felt it was most important it should pass. I have said—and I do not speak without authority or reason—that there were grave political reasons why this Bill should pass; and I should have been glad had some of the discussion which had arisen upon it been avoided. The right hon. Gentleman the Member for Greenwich taunted me the other day, when I talked of the revolution that had occurred in India, by adducing the changes that had occurred in the colonies, and the changes in the relationship between the Sovereign and those settlements. But while we have been pondering and legislating on these matters there have been greater changes going on in the very heart of Asia than even the conquest of India itself, or the foundation of all our colonies. There is a country of vast extent, which has been known hitherto only by its having sent forth hordes to conquer the world. That country has at last been vanquished, and the frontiers of Russia—I will not say a rival Power, but the frontiers of Russia—are only a few days march from those of Her Majesty's dominions in India. I venture to speak on this subject with some frankness, because I am not of that school who view the advances of Russia in Asia with those deep misgivings that some do. I think that Asia is large enough for the destinies of both Russia and England. But whatever may be my confidence in the destiny of England, I know that Empires are only maintained by vigilance, by firmness, by courage, by understanding the temper of the times in which we live, and by watching those significant indications that may easily be observed. The population of India is not the population it was when we carried the Bill of 1858. There has been a great change in the habits of the people. That which the Press could not do, that which our influence had failed in doing, the introduction of railroads has done, and the people of India move about in a manner which never could have been anticipated, and are influenced by ideas and knowledge which before never reached or touched them. What was the gossip of bazaars is now the conversation of villages. You think they are ignorant of what is going on in

Central Asia. You think they are unaware that Tartary, that great conquering Power of former times, is now at last conquered. No; not only do they know what has occurred, not only are they well acquainted with the Power which has accomplished this great change, but they know well the title of the Great Prince who has brought about so wonderful a revolution. I have listened with surprise, night after night, to hon. Gentlemen on both sides of the House translating the title of Empress into all sorts of languages, and indicating to us what name would at last be adopted. The nations and populations that can pronounce the word Emperor, and that habitually use it, will not be slow to accept the title of Empress. That is the word which will be adopted by the nations and populations of India, and in announcing, as Her Majesty will do, by her Proclamation, that she adopts that title, confidence will be given to her Empire in that part of the world, and it will be spoken in language which cannot be mistaken that the Parliament of England have resolved to uphold the Empire of India.

Mr. J. COWEN said, he had not had an opportunity of taking any part in the discussion during the previous stages of the Bill. He knew it was unusual for a Member to attempt to continue a discussion after the Prime Minister had made his reply; but, as he felt strongly on the question, and as he was not accustomed to trouble the House often with observations, perhaps they would kindly accord him their attention for a few minutes. The speech they had just listened to from the Prime Minister was in some parts solemn, and in some parts frivolous. His remark as to the receipt of private letters, giving an indication of popular feeling, was, to say the least, somewhat unfortunate. He (Mr. Cowen) had some practical knowledge of the Press of this country, and he could assure the right hon. Gentleman that, whatever number of letters he had received with respect to this Bill, there were daily newspapers published in England whose editors were throwing into the waste-basket from 20 to 40 communications per day respecting this question, and four-fifths of them were in opposition to the Bill. He was surprised that the Prime Minister should again attempt to draw an argument from such a poor precedent as that of Spenser's *Faery Queen*. Perhaps this was the first time that the most fanciful poem of one of our most fanciful poets should be made a serious argument for a grave Constitutional change. But if Spenser was to be quoted as an authority for the use of the word "Empress" in England, it was only right for them to recollect that the author of the *Faery Queen* was a courtier of Queen Elizabeth. He was not only a servant of Her Majesty, but he received from her both pension and property. He spoke from recollection; but he believed he was correct when he said that the confiscated estate of a rebel Irish Earl—Kilcolmac—in the county of Cork, was given by Queen Elizabeth to Spenser, and it was when residing upon that estate that the *Faery Queen* was written. To put the matter mildly, Elizabeth had what the phrenologists call the bump of love of approbation largely developed. Whatever other merits she had, her best friends admitted that she was a trifle vain. It was not unreasonable to suppose, therefore, that a courtier and a pensioner should feel anxious to acknowledge the bountiful gifts of his Royal mistress by addressing her in a style a little inflated, but, at the same time, acceptable to the Royal ear. A much greater man than Spenser, and a very much greater poet, had been guilty of a like literary offence, and had travestied English history, to please the prejudices and whims of the ambitious daughter of Henry VIII. If Shakespeare could in this way try to win the favour of his Queen, a weak and courtly man like Spenser surely might do it. But the action of either, or both poets, certainly ought not to be used in a serious argument for effecting political changes. The right hon. Gentleman was fond of precedents. It was his love of them that led him to drag Spenser into his arguments for this Bill. He (Mr. Cowen) would give him a precedent, that he was surprised had been overlooked, and which was far more to the purpose. There was a King of England once who called himself Emperor. Edgar, the Saxon King, commonly called the "peaceful," because he maintained peace within his dominions, took upon himself the double title of "Basileus Imperator," or King and Emperor of Britain. This was more than 900 years ago. Edgar wished to declare himself independent of the Holy

Roman Empire, and of the suzerainty of Henry the Fowler, who then occupied the Germanic Throne. To show his independence, Edgar assumed the titles he had indicated. If the Queen of England wished to adopt this new title, he submitted that the precedent of Edgar was far more to the point than that of an Elizabethan poet. He did not think, however, that the country was inclined to follow either precedent. He was free to confess that the alteration the Prime Minister had made in the Bill during its progress through the House, had modified, but had not removed, the popular hostility to it. All the opposition centred in the word Empress. This objection might amount to very little, it might amount to a great deal. No doubt the Prime Minister thought that this additional title would augment the prestige and add to the power of the Queen ; but every one had not the same passion for pageantry, or the same fondness for ceremonial, that was possessed by the Premier. Other hon. Gentlemen, no doubt, thought that the change was chiefly of a personal and family character. In their speeches and conversations they did not hesitate to confess that the reason why they supported the Bill was because they believed it would be acceptable to Her Majesty and the members of the Royal Family generally. If no other effect was to be produced than simply to please the Queen, the vote upon the Bill would be unanimous. He believed the question at issue concerned the nation infinitely more than it did the Court or the Government. Future generations were more interested in the question than the present. It was not so much the direct or immediate results that they were afraid of, as it was the indirect and ultimate consequences. The Government under which they lived was a strictly Constitutional one. What the Ministers wished them to do was to engraft upon their Constitutional forms the name and style of a military, autocratic, irresponsible, and arbitrary power. In changing the name, he feared they might change the character of the Government. Phrases had a curious habit of transmuting themselves into facts. The liberties they enjoyed had been too dearly bought, the privileges they rejoiced in had been too stoutly fought for, to be surrendered even in appearance. They could not be too jealous of regal and despotic encroachments upon popular power and influence. He knew these fears were not entertained by hon. Gentlemen on the opposite side, and he believed sincerely, if they were entertained, the Gentlemen there would as resolutely defend every form of English liberty as he would. They could not overlook the fact that, although a majority was in favour of this change, full two-fifths of the Members of the House of Commons were opposed to it, and took the same view as he was enforcing. The Government and their supporters might not—he believed did not—contemplate such consequences as he had described ; but they must excuse him, and others like him, who dreaded such results, if they offered the proposal their resolute opposition. He was afraid, if they effected the suggested change, that they would be taking the first step, but a substantial step, towards abolishing the time-honoured and historic title of Queen of England, and supplanting it by the tawdry, common-place, and vulgar designation of Empress. What were the facts? There were 32,000,000 of people in the United Kingdom, and something like 8,000,000 or 10,000,000 in the colonies. In India there were 200,000,000. If this change was made, one-fifth of Her Majesty's subjects would address her as Queen, and four-fifths as Empress. The communication between this country and India was large, and was yearly increasing. Hindoos were coming in larger numbers to England, and Englishmen were going in larger numbers to the East. When the Hindoos were at home, their ruler would be an Empress ; when they were in England she would be their Queen. When Englishmen were at home their ruler would be a Queen ; and when they were in India she would be an Empress. He asked hon. Gentlemen whether they seriously thought they could preserve this dual designation? They might carefully observe it on all State occasions ; they might use it in all Royal Proclamations ; and they might embody it in a thousand Acts of Parliament, but popular usage—which in matters of language was despotic—would abandon one title and retain the other. The title abandoned would be that which was conventionally considered the inferior, and the one retained would be that which was conventionally considered the superior. Charles V. was Emperor of Germany, King of Spain, and Lord of the Netherlands, but who ever heard of him by any other name than that of Emperor Charles V? The Duke of Buccleuch sat, and voted in the other House of the Legislature, as the Earl of Doncaster; and the Duke of Argyll sat and voted as Baron Sundridge. Their Ducal titles were Scotch; but who ever heard of them spoken of otherwise than as the Duke of Buccleuch and the Duke of Argyll? Lord Palmerston was an Irish Peer, but history only knew him by his local title. It was impossible to localize or limit a title; and when the Government talked of doing that with the title of Empress of India, they were seeking to accomplish an impossibility. The Prime Minister had told them that the title of Empress was not superior to that of Queen. If it was not higher, it was lower; if it was not lower, it was equal. The right hon. Gentleman would not surely have the Queen to adopt an inferior title, and there would be no wisdom in encumbering her style with another, and merely equal prefix. The Prime Minister had also told them that the mode of address of Her Majesty would not be altered. That it was "Her Majesty the Queen" now, and that it would be the same in future. He had assured them further that the Queen's numerous children and grandchildren would not be able to attach the word Imperial as well as Royal Highness to their names. This might be correct; but there was one Royal personage, he who stood nearest the Throne, who would be affected by the change. He bore a title that recalled some of the most touching and memorable incidents in English history. Recent bearers of the title had not sustained the character for chivalry and courage that distinguished some of its original possessors. Still, the title was pre-eminently a British one. It was woven into the web and warp of our national life, and no man, whatever his politics or his Party, would like to see it abandoned, and the meaningless designation with which a deposed French usurper tricked out his son adopted in its place. It was for purely Indian reasons that this change was said to be desired. No one attempted to say that the people of this country wished it. All the arguments and reasons of the Government were drawn from Indian sources. But the House had no information that the change was wished for, even asked for, by India. The Prime Minister had refused to supply them with any official intelligence upon the subject. The Chancellor of the Exchequer, indeed, said that articles had appeared in Indian newspapers advocating the change. He (Mr. Cowen) knew something of the Indian Press, and he confessed he had never seen any such articles, though he had seen, and they had all seen, a large number of articles in the English Press against the change. The right hon. Gentleman knew the value of evidence as well as any man, and he felt sorry when he saw him compelled to rely upon such flimsy material as he had addressed to the House. The Chancellor of the Exchequer had also read to them a Petition from some landowners in the province of Oude, asking that the Queen should take a new title. Hon. Gentlemen near him who took part in the discussion on the Irish Coercion Bill last Session would appreciate the force of the remark, when he said that Oude stood towards the rest of India in much the same position as the county of Westmeath stood towards the rest of Ireland. He asked the Government whether it was likely they would consent to change the title, or alter the duties of the meanest official in the household of the Viceroy of Ireland, upon the requisition of a few landowners from a county which was accused—he did not say rightly—of being the last resting-place of Ribbonism in the Sister Isle? If they would not effect this change in a small country, and limited population, like Ireland, surely upon such a requisition from the Westmeath of India they ought not to effect a change in which so many millions of persons were interested. They had heard a good deal of India during these discussions. He did not set himself up as an Indian authority; but he believed he would not be contradicted when he said that the men who had lived the longest there, who had devoted their whole lives to studying that wonderful land, were the most unwilling to hazard any opinion as to the thought of the Indian people. Men might live in India, and become acquainted with its geography, its rivers and mountains, with its natural history, the produce of its soil, and its climate; but hitherto the thought of the Hindoo people had been to Europeans a sealed book. Lord Salisbury, speaking in the House of Lords a few days ago, declared that the greatest difficulty the English had to deal with in India was their ignorance of the real mind and thought of the people. The Hindoos were the inheritors of a peculiar, a wonderful, and an illustrious civilization. They were proud of it, and they looked upon Englishmen as powerful parvenus whom circumstances compelled them to submit to, but whom, in their secret hearts, they despised. The Hindoos, too, were a conquered people. They had all the feelings and the natural characteristics of conquered races. They were suspicious and distrustful of their conquerors; the passions and the prejudices of the people were only intensified in the Princes of that interesting land. He believed he spoke the deliberate opinion of every man familiar with the Government of India, when he said that whenever an Indian Prince contemplated a conspiracy against the English Government, or was engaged in a plot against our rule, he was always studiously courteous and conciliatory, polite and deferential, to English residents and English officials. He would not presume to offer an opinion on the question, because, as he had said, they had no evidence; but as far as they were able to form an opinion, he thought he could venture to declare that the Indian people were, as a body —and a large number of their Princes —supremely indifferent as to any title the Queen might take. Other Princes, perhaps, some of them the most powerful and best informed, if they held an opinion at all on the subject, he supposed it would be one of opposition, because they would see, or think they saw, in the change of title, some increase of power by England, and some further decrease of their own authority. He did not wish to weary the House; but if they would permit him he would like to say a few words in answer to the statement made by the hon. and learned Member for Sheffield (Mr. Roebuck) a few nights ago. The hon. and learned Gentleman told them that the word "Emperor" had reference to Empire, and was not derived from the Latin word Imperator. He (Mr. Cowen) entirely dissented from that view. Imperator was the name given, in the first instance, by Roman soldiers on the eve of victory to their successful generals. The man who had led the Roman legions to triumph was on the field of battle proclaimed by his soldiers an Imperator. This title at first was used after the proper name, as "Vespasian Imperator," for example. Many Roman generals were repeatedly proclaimed Imperators. Augustus, according to Tacitus, was more than 20 times made Imperator. In the latter days of the Roman power a new meaning was attached to the word. It was then used by the rulers of Rome, much in the same way as it was in modern times. But Rome was then decrepit and declining. She was emasculated by excessive wealth, and weakened by excessive territory. He did not wish to institute an unpleasant parallel; but he could not resist some comparison between this country now and Rome when she first adopted the title of Emperor. England had now a plethora of wealth. She had dominions in every quarter of the globe, and she was following the Roman expedient of taking a pretentious title for its ruler. He hoped that this change did not indicate the commencement of the downward career of the power of Britain, as like circumstances and changes marked the fall of Rome. The title of King was of purely Saxon origin. It was the name given by free peoples to their chief magistrates. The Monarchy of England rested, it was true, on hereditary descent; but, at the same time, it was partly elective. The Parliament of England gave the Crown of these realms to the descendants of Sophia of Hanover, under specified restrictions and strongly guarded limitations. Ours was emphatically a limited Monarchy, and the people shared with the Monarch the rule of the nation. To fasten on to the Constitution a military and autocratic figurehead might not be contrary to the letter of the Act of Settlement; but it was certainly contrary to its spirit. The right hon. Gentleman opposite had told them that this was a question of sentiment. He at once, and frankly, admitted that it was. Half of human life was made up of sentiment. Existence would be a dull, dreary, drudgery, unless it was illuminated by some ray of hope, and enlivened by some gleam of generous emotion. Men were much more easily moved by their feelings and sympathies, than their convictions. They were much more earnestly roused to action by their passions and prejudices than by their interests. The men who were not conscious of this, and did not know that people were guided more by principle than selfishness in their mode of life, had only half learnt the art and the work of statesmanship. One remark further he wished, with the permission of the House, to make. The right hon. Gentleman the Prime Minister had told them that the Throne of this country depended for its support on the spirit of the people. He quite agreed with that opinion. The Monarchy did not rest on soldiers' bayonets or policemen's batons. It did not even depend on law; but on the good sense and right feeling of the people. While they recognized that fact, however, it was only right for them to recollect also that there was no fanatical belief in the abstract principles of Monarchy in this country. The doctrine of divine right was killed on the scaffold with King Charles, and went out with the Commonwealth. The people of the country supported the Monarchy because they knew, from experience, that they enjoyed, under its rule, as large an amount of well-ordered liberty as any other people in the world. The country, under its guidance, had been prosperous, and the people comparatively contented and happy. But if there was any attempt to establish a species of socialistic Empire, to drag into our Constitution the forms and principles of Imperialism, hon. Gentlemen opposite would soon find that the superstition of Royalty had no real hold on the people of this land.

MR. NEWDEGATE: I desire to tender to the noble Lord opposite (the Marquess of Hartington) and the right hon. Gentleman the Member for Greenwich (Mr. Gladstone) my thanks for the manner in which they have vindicated the best traditions of the Party that is hereditary among them, and for having vindicated the duty and the functions of a Constitutional Opposition, for having so used their power and their eloquence in debate as to have extracted from Her Majesty's Ministers the information due to this House for the purpose of enabling it fully and properly to discuss this Bill. I lamented, from the first, that the right hon. Gentleman at the head of the Government should have been so reticent in communicating information, and I deprecate his frequent appeals to the spirit of Party. Are we not to have two Parties in this House? Is not a legitimate Opposition identified with some of our proudest traditions? Has not an Opposition thus conducted habitually rendered the most exemplary services to the country; and on the present occasion the Opposition have rightfully claimed that the House should be put in possession of information, essential to its properly dealing with a question of the deepest importance, as touching the Crown of this Kingdom? They have resisted what appeared to be an attempt to prevent discussion by appeals to the Prerogative. The right hon. Gentleman at the head of the Government referred to the use made of the Royal Prerogative by the late Prime Minister on the Army Bill. I remember his opposition to that proceeding. I remember my own denunciation of it, and my vote in condemnation of it; and it was with pain I recently observed on the question now before the House that the right hon. Gentleman, instead of appearing to continue the reprobation he then expressed against that stretch of the Prerogative, seemed disposed to use the Prerogative to the supercession of Parliament in this matter of altering the title of the Crown, as though he was tempted to repeat or imitate the offence he had formerly condemned. During the course of these debates, the right hon. Gentleman has referred over and over again to grave political considerations, which, he said, actuated himself and the Government he leads, but he never explained the substance of those considerations. How could the right hon. Gentleman expect an Assembly such as this, largely composed of new Members, and including Gentlemen who can address the House with such power as the hon. Member (Mr. Cowen) who has just resumed his seat has displayed, would be satisfied with the mere assertion that grave political considerations were involved in the question, while the nature of these considerations was left unexplained? Sir, I rejoice that this question has been fully discussed. The House and the country are greatly indebted to those right hon. and hon. Gentlemen who have shown so much ability in securing this discussion. It is now clearly understood that there is no intention that the present Imperial character of the Crown of the United Kingdom shall be at all infringed or impaired by the assumption of this local title of Empress or Emperor of India, and that Parliament is not asked to derogate from its own share in the Imperial power attaching to that title. If this new title is to be assumed, these discussions were necessary in order to reconcile the people of this country to the change of the title to the Crown, the emblem of their nationality and power. They would not have been content that the House of Commons has treated this measure as the measure of the Minister, not as its own. Without such a conviction, I believe that grave suspicions would be awakened in the public mind with regard to the ulterior and disguised objects which the measure would have been supposed to involve — that a distrust would be engendered that might not be limited to this country, but would probably have extended to India. I hope, also, that an answer has been given to those designing persons who would have us believe that the Parliament of England, the representative of a race which an ambitious ecclesiastic described as Imperial, has not been and will not prove itself unworthy of its traditions or the accomplice of that ecclesiastic who—and the declaration has become historical—declared it to be the function and the duty of the Church of Rome to break the will of and to subjugate the English nation, whose will, he acknowledged, has ruled the world as the will of old Rome once did. If Her Majesty now assumes the title of Empress of India, it is to be assumed, I trust, merely as the local reflection of the Imperial quality of the Crown, which in this country is identified with free institutions, which is known to be the guardian of our freedom, and which is Imperial only in the sense of asserting its own absolute independence, in the asserting its independence of all or any power, other than that of the Almighty, in asserting its exemption from subordination to any human authority. That is the sense in which the Crown of this United Kingdom has been, and is, Imperial. Imperial now and here, and never, I trust, to be in any other sense Imperial in India. For I should consider it a misfortune that anything should go forth that might appear to purport a separation of this Imperial character and quality of the Crown, and that this separation and difference should seem to take place with respect to India, the only portion of the dominions of the British Crown in which the form of government is despotic. I believe that the discussions which have taken place in this House will enlighten, have already enlightened the public mind on the subject; although I should have been glad if Her Majesty would be content with the title of "Sovereign of India." [*Cheers.*] Yes, Sovereign of India. That is the term which would best express the supremacy of Her Majesty, because the term, in its second sense, implies excellence, and is thus peculiarly appropriate to Her Majesty. I rejoice that the House of Commons has vindicated its right to full information and debate before it would consent to pass this important measure.

Mr. FAWCETT said, he could not but express his surprise at the speech delivered by the Prime Minister, especially the concluding portion of it, and his astonishment how a responsible Minister could have delivered such a speech. Seldom had so rash and dangerous a speech been delivered. He would not, after the eloquent remarks which had just been made by the hon. Member for Newcastle (Mr. Cowen) say a single word with regard to the deep and unalterable dislike of the people of this country to the title of "Empress;" but he would ask the Prime Minister what were the reasons which had induced him to propose that the people of India should enjoy a title different from that which was enjoyed by the people of England? If the title of Queen were respected, honoured, and revered in this country, and if the Government wished to bind the people of India to England by closer ties of attachment and affection, why should they not enjoy the same title for their Ruler as was regarded in this country with so much reverence? He thought it impossible to condemn too strongly the want of caution on the part of the Prime Minister in introducing into that discussion the possibility of India being attacked by Russia. Even if there were such a danger hanging over our Indian dominions, such a matter ought not to have been mentioned by the Prime Minister in that casual and off-hand way. It was not in such a manner that the right hon. Gentleman should have defended this new-born title of "Empress of India." But it was said the government of India was different from that of England, and that was a point on which he wished to make an earnest, he might say a solemn, protest. One hon. Member had said the people of England enjoyed Parliamentary and free institutions, but our Government of India was despotic. At a time when education was constantly increasing, and the people were taking more and more interest in the Government, and aspiring to a greater share in the management of their affairs, was it well to remind them that we governed them by a despotic Power? But he (Mr. Fawcett) denied the accuracy of the hon. Member's statement. Although the people of India were not governed by Parliament directly, they were governed by Parliament indirectly. The House of Commons could agree to an Address for the dismissal of the Governor General of India, the Secretary of State, or any other official who acted unjustly to the people of India, and to a certain extent the people of India enjoyed the same protection of free institutions as were enjoyed by the people of this country. The Prime Minister had stated that this Bill would give satisfaction to the people of India; but, without presuming to be the interpreter of their opinions and wishes, he might say that for every particle of evidence to show that the people of India desired that Her Majesty should assume the title of Empress, he could bring ten times the amount of evidence to show that they wished that the same Queen who ruled over us should rule over them upon the same principles and with the same appellation. In conclusion, he again protested against the incaution, the recklessness which had been exhibited by the Prime Minister in introducing into this debate considerations which seemed to him to show that he had fears for the permanence of our rule in India. He thanked the House for giving him the opportunity of briefly stating his views upon this question, and if a Division were called for he would support them by his vote.

MR. LOWE: Sir, the right hon. Gentleman the First Minister of the Crown has conducted the debates on this measure upon the principle which the theologians term the doctrine of development. The right hon. Gentleman has been unable to induce himself to state the whole of his case at once or to lay before the House as a whole all the arguments he intended to rely on. Every speech that he has addressed to us has contained some variation, some addition, and some alteration of that which he had previously uttered. He has fed us by instalments —and it is only within the last half-hour that we have heard for the first time an argument to which he evidently attaches the greatest possible weight. Sir, such conduct as that is unworthy of the greatness of this occasion. It is unworthy of the position of the right hon. Gentleman to treat a question of this kind as if he were pulling out the slides of a magic lantern, instead of developing a great policy for a great nation. We had a right to expect that all the reasons and arguments fit to be produced at all to Parliament should have been produced in the first instance, and that we should not be played with in this manner, having argument after argument produced, until at the last moment the right hon. Gentleman springs on us something entirely new and unexpected. Sir, the right hon. Gentleman has given us arguments of a kind that I little thought to hear in the course of this debate. Whatever may be said of the speech of the right hon. Member for Greenwich, no one can deny that it was worthy of the occasion in the tone of solemnity and the sense of responsibility with which it was addressed to the House. We felt we were hearing a great statesman worthily and to the best of his ability treating a great question; whether we agree or disagree with him, the House must be proud of possessing men who treat a matter in that way. The same may be said of the hon. Member for Newcastle (Mr. Cowen). That hon. Gentleman evidently spoke from deep conviction; he spoke with eloquence and he spoke with force, because he spoke what he really felt, and all that he really felt. He was not doling out to us bit by bit, and by little bits, the convictions he thought it necessary to express. The hon. Gentleman spoke like an honest Englishman, not only with frankness and fairness, and carried the House with him; and I hope we shall often hear his voice raised with similar manliness and similar effect. But when one turns from my hon. Friend to the First Minister of the Crown, what do we hear? We have the lispings of the nursery voice—

> "My brother Jack was nine in May,
> And I was eight on New Year's Day."

That is the language of the First Minister of the Crown upon this momentous occasion; and when he has exhausted that source of frivolity, he must go even to a deeper depth of unworthiness. The next thing, then, to which we are treated is the blunder of an almanack as a reason why the title of the Ruler of 250,000,000 of people should be changed. And as though that were not sufficient to lower and degrade this subject and to make us think as meanly of it as he does himself, the right hon. Gentleman, not content with referring to the blunders of an almanack, puts before us as a further argument the blunders in children's school books. It certainly does not much matter to the right hon. Gentleman what sort of arguments he makes use of, because the result of the division on this question will remain unaffected by them. But the right hon. Gentleman owed it to the House, to himself, and to his own Party on this last occasion when this measure will be before us to supply us with some sort of reason for passing it, instead of mocking us with such miserable frivolity and drivelling. I now turn to a rather more serious subject. The right hon. Gentleman has got another reason which he has kept concealed during the whole of the debates on this question, and has not thought fit to produce till this, the last moment when it is obviously impossible that it could receive that discussion, and I may say that castigation, which I am sure the House would have given it earlier. What does the right hon. Gentleman say? He says that the Emperor of Russia is pushing into Central Asia, and says, with ridiculous exaggeration, that he is getting close to our territories in India; and he further says that because the Emperor of Russia is so near to us, and because the Natives of India know that we are in so dangerous and so critical a situation, we, who have ruled India for 100 years, are in a panic of terror to alter the name of Queen to that of Empress, in order that our Sovereign may be placed on terms of equality with the Emperor of Russia. ["No."] That is the language we hear. I gave, most unintentionally, great offence to the House the other night by suggesting that the time might come when we may lose India. I regret what I then said; but, at the same time, I said what was only relevant to the case and was expressing my own conviction. It is my conviction that it is possible that we may at some time lose India. ["Oh, oh!"] I do not wish to force that conviction upon the House, though I believe I am justified in entertaining it. But look at the effect of what the right hon. Gentleman has said. He does not say anything about our losing India, but he tells us that our position in India is so critical, is so threatened, on our northern frontier by the overwhelming power of the Emperor of Russia, that we must actually take the extraordinary step of altering the title of the Sovereign in order to place ourselves upon an equality with Russia. Is that language calculated to insure our hold upon India? I hope the Natives of that country will read all the debates that have been held on this subject, and then they will not mind what the right hon. Gentleman says. But, taken alone, what effect must the language of the right hon. Gentleman necessarily have upon the minds of the Natives of India? It must make the Natives believe that we foresee some tremendous danger, of which they do not as yet know anything, and to create such a feeling in that country is probably to do the greatest dis-service that can be done to the permanence of our Government in India. I am very sorry to have troubled the House on this occasion; but I could not allow such a statement as that made by the right hon. Gentleman to pass without making my earnest protest against it. I most bitterly regret that the right hon. Gentleman reserved such an argument as that to this moment, when the House is not able to criticize it and by a large and preponderating number of protests to do away with the effect of this last and most mischievous development of a series of so-called arguments with which the House of Commons has been mocked and tantalized during the whole course of these debates.

Question put.

The House *divided*:—Ayes 209; Noes 134: Majority 75.

AYES.

Adderley, rt. hn. Sir C.
Alexander, Colonel
Allsopp, H.
Anstruther, Sir W.
Arkwright, A. P.
Ashbury, J. L.
Assheton, R.
Baring, T. C.
Barrington, Viscount
Barttelot, Sir W. B.
Bates, E.
Bathurst, A. A.
Beach, rt. hn. Sir M. H.
Beach, W. W. B.
Bentinck, rt. hn. G. C.
Beresford, Colonel M.
Blackburne, Col. J. I.
Bourke, hon. R.
Bousfield, Major
Bowyer, Sir G.
Bright, R.
Brise, Colonel R.
Brooks, M.
Bruce, hon. T.
Buxton, Sir R. J.
Callan, P.
Cameron, D.
Cartwright, F.
Cave, rt. hon. S.
Cawley, C. E.
Cecil, Lord E. H. B. G.
Chaplin, Colonel E.
Chapman, J.
Christie, W. L.
Clive, hon. Col. G. W.
Close, M. C.
Cobbett, J. M.
Cobbold, T. C.
Cole, Col. hon. H. A.
Coope, O. E.
Corry, J. P.
Cotton, rt. hn. W. J. R.
Crichton, Viscount
Cross, rt. hon. R. A.
Cubitt, G.
Cuninghame, Sir W.
Cust, H. C.
Dalkeith, Earl of
Davenport, W. B.
Deakin, J. H.
Denison, C. B.
Denison, W. B.
Dick, F.
Digby, hon. Capt. E.
Disraeli, rt. hon. B.
Eaton, H. W.
Edmonstone, Admiral Sir W.
Egerton, hon. A. F.
Egerton, hon. W.
Elcho, Lord
Elliot, Sir G.
Elphinstone, Sir J. D. H.
Emlyn, Viscount
Eslington, Lord
Fellowes, E.
Fielden, J.
Forester, C. T. W.
Forsyth, W.
Fraser, Sir W. A.
Freshfield, C. K.
Gallwey, Sir W. P.
Gardner, J. T. Agg-
Garnier, J. C.
Gilpin, Sir R. T.
Goldney, G.
Gooch, Sir D.
Gordon, rt. hon. E. S.
Gordon, W.
Gore, W. R. O.
Gorst, J. E.
Grantham, W.
Greenall, Sir G.
Gregory, G. B.
Hamilton, Lord C. J.
Hamilton, I. T.
Hamilton, Lord G.
Hamilton, hon. R. B.
Hamond, C. F.
Hanbury, R. W.
Hardy, rt. hon. G.
Harvey, Sir R. B.
Heath, R.
Hervey, Lord F.
Heygate, W. U.
Hick, J.
Hildyard, T. B. T.
Hinchingbrook, Visct.
Hogg, Sir J. M.
Holker, Sir J.
Holmesdale, Viscount
Holt, J. M.
Home, Captain
Hood, hon. Captain A. W. A. N.
Hope, A. J. B. B.
Hubbard, E.
Hubbard, rt. hon. J.
Hunt, rt. hon. G. W.
Jervis, Colonel
Johnstone, Sir F.
Johnstone, H.
Jolliffe, hon. S.
Jones, J.
Kennard, Colonel
Kennaway, Sir J. H.
Knowles, T.
Lawrence, Sir T.
Lee, Major V.
Legard, Sir C.
Leigh, Lt.-Col. E.
Leighton, S.
Lindsay, Col. R. L.
Lindsay, Lord
Lloyd, T. E.
Lopes, Sir M.
Lowther, hon. W.
Lowther, J.
Lusk, Sir A.
Macartney, J. W. E.
Mac Iver, D.
Makins, Colonel
Manners, rt. hn. Lord J.
March, Earl of
Marten, A. G.
Mellor, T. W.
Mills, Sir C. H.
Montgomerie, R.
Moore, S.
Mowbray, rt. hn. J. R.
Mulholland, J.
Naghten, Lt.-Col.
Nevill, C. W.
Neville-Grenville, R.
Newport, Viscount
North, Colonel
Northcote, rt. hon. Sir S. H.
Onslow, D.
Paget, R. H.
Palk, Sir L.
Parker, Lt.-Col. W.
Pateshall, E.
Peek, Sir H.
Pell, A.
Pemberton, E. L.
Peploe, Major
Percy, Earl
Perkins, Sir F.
Pim, Captain B.
Plunket, hon. D. R.
Polhill-Turner, Capt.
Praed, C. T.
Raikes, H. C.
Read, C. S.
Rendlesham, Lord
Ripley, H. W.
Rodwell, B. B. H.
Roebuck, J. A.
Round, J.
Russell, Sir C.
Ryder, G. R.
Sackville, S. G. S.
Salt, T.
Sanderson, T. K.
Sandon, Viscount
Sclater-Booth, rt. hn. G.
Scott, M. D.
Scourfield, Sir J. H.
Selwin-Ibbetson, Sir H. J.
Shute, General
Simonds, W. B.
Smith, S. G.
Smith, W. H.
Smollett, P. B.
Somerset, Lord H. R. C.
Spinks, Mr. Serjeant
Stanhope, hon. E.
Stanhope, W. T. W. S.
Stanley, hon. F.
Starkey, L. R.
Starkie, J. P. C.
Stewart, M. J.
Talbot, J. G.
Thornhill, T.
Thwaites, D.
Thynne, Lord H. F.
Tollemache, hon. W. F.
Torr, J.
Twells, P.
Verner, E. W.
Wait, W. K.
Walker, T. E.
Wallace, Sir R.
Watney, J.
Wilmot, Sir H.
Wilmot, Sir J. E.
Wolff, Sir H. D.
Woodd, B. T.
Wyndham, hon. P.
Yeaman, J.
Yorke, hon. E.

TELLERS.

Dyke, Sir W.
Winn, R.

NOES.

Adam, rt. hon. W. P.
Ashley, hon. E. M.
Barclay, J. W.
Bazley, Sir T.
Beaumont, Major F.
Beaumont, W. B.
Biggar, J. G.
Blake, T.
Brassey, T.
Briggs, W. E.
Bright, J.
Bright, rt. hon. J.
Brocklehurst, W. C.
Brown, J. C.
Burt, T.
Butt, I.
Campbell, Sir G.
Campbell-Bannerman, H.
Cartwright, W. C.
Cave, T.
Cavendish, Lord F. C.
Chadwick, D.
Clarke, J. C.
Colebrooke, Sir T. E.
Colman, J. J.
Cotes, C. C.
Cross, J. K.
Crossley, J.
Dease, E.
Dilke, Sir C. W.
Dillwyn, L. L.
Dodds, J.
Downing, M'C.
Dunbar, J.
Earp, T.
Egerton, Adm. hon. F.
Ennis, N.
Errington, G.
Fawcett, H.
Ferguson, R.
Fletcher, I.
Forster, Sir C.
Forster, rt. hon. W. E.
French, hon. C.
Gladstone, rt. hn. W. E.
Goldsmid, J.
Goschen, rt. hon. G. J.
Gourley, E. T.
Gower, hon. E. F. L.
Grieve, J. J.
Harrison, C.
Hartington, Marq. of
Havelock, Sir H.
Hodgson, K. D.
Holms, J.
Holms, W.
Hopwood, C. H.
Howard, hn. C. W. G.
James, Sir H.
James, W. H.
Jenkins, D. J.
Jenkins, E.
Kensington, Lord

Kinnaird, hon. A. F.
Kirk, G. H.
Laverton, A.
Law, rt. hon. H.
Lawson, Sir W.
Leeman, G.
Lefevre, G. J. S.
Leith, J. F.
Locke, J.
Lowe, rt. hon. R.
MacCarthy, J. G.
Macdonald, A.
Macgregor, D.
Mackintosh, C. F.
M'Arthur, A.
M'Arthur, W.
M'Lagan, P.
Maitland, J.
Marling, S. S.
Martin, P.
Meldon, C. H.
Middleton, Sir A. E.
Milbank, F. A.
Monk, C. J.
Montagu, rt. hn. Lord R.
Morley, S.
Mundella, A. J.
Muntz, P. H.
Nolan, Captain
Norwood, C. M.
O'Byrne, W. R.
O'Callaghan, hon. W.
O'Conor Don, The
O'Donoghue, The
O'Loghlen, rt. hon. Sir C. M.
O'Reilly, M. W.
O'Shaughnessy, R.
O'Sullivan, W. H.
Palmer, C. M.
Parnell, C. S.
Pease, J. W.
Peel, A. W.
Pennington, F.
Philips, R. N.
Playfair, rt. hon. L.
Plimsoll, S.
Potter, T. B.
Power, J. O'C.
Price, W. E.
Rathbone, W.
Reed, E. J.
Richard, H.
Shaw, W.
Sherlock, Mr. Serjeant
Sherriff, A. C.
Simon, Mr. Serjeant
Stacpoole, W.
Stanton, A. J.
Stuart, Colonel
Sullivan, A. M.
Swanston, A.
Taylor, P. A.
Temple, rt. hon. W. Cowper-
Vivian, H. H.
Ward, M. F.
Watkin, Sir E. W.
Weguelin, T. M.
Whitbread, S.
Williams, W.
Wilson, C.
Young, A. W.

TELLERS.

Anderson, G.
Cowen, J.

Bill read the third time, and *passed*.

MERCHANT SHIPPING BILL—[Bill 49.]

(*Sir Charles Adderley, Mr. Edward Stanhope.*)

COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Sir Charles Adderley.*)

Mr. GORST moved—

> "That, in the opinion of this House, the Merchant Shipping Acts should be so amended that the breach of a contract of service not involving danger to life or injury to the ship on the part of a seaman should be no longer punishable with imprisonment and forfeiture, and should no longer render such seaman liable to be arrested without warrant within the United Kingdom."

The hon. and learned Gentleman said, the clause that he put forward was one of simple equality for the seaman, and it was designed to put an end to an anomaly under which merchant seamen at present laboured. The anomaly was one of recent growth, because when the Act of 1854 was passed there was nothing peculiar in forcing the completion of work under penalty of imprisonment, and the grievance now complained of was one of degree, and not a grievance of kind. But though there had subsequently been a change in the Labour Laws a peculiar anomaly had been suffered to remain with reference to merchant seamen. All other workmen were exempt from imprisonment for non-fulfilment of contract, except in extraordinary cases, such as those in which the workmen knew that if they broke their contract they would probably endanger human life or expose valuable property to destruction or serious injury. With that exception they were not liable to imprisonment for breach of contract. There was a clause in the Merchant Shipping Act of 1854 which rendered seamen guilty of a misdemeanour, and therefore liable to imprisonment, for misconduct of a kind that endangered the ship or endangered life or limb. That was a clause analogous to the clause in the Conspiracy and Protection of Property Act, and no one would complain if that clause, if it were desirable, should be made more stringent in its provisions. But seamen were further liable to imprisonment for breaches of contract committed not when the ship was on the sea, but when it was in the United Kingdom, and even when the seaman himself was on shore. He would give an instance. A seaman for neglecting or refusing, without reasonable cause, to join his ship or to proceed to sea, or for absence without leave within 24 hours of sailing, or for being absent at any time without reason, was liable to 10 weeks' imprisonment with hard labour. If, therefore, a seaman broke his contract to go to sea he would be liable to 10 weeks' imprisonment, which was a liability to which no other person in the whole country was subject. He (Mr. Gorst) was by his Resolution asking the House to affirm that in the United Kingdom a seaman should be treated like other people. It was not for those who claimed that all classes should be equal before the law to show the right to such treatment; but for those who asked that there should be exceptional treatment to show why there should be such exceptional treatment. Still, if the House would indulge him, he would meet by anticipation some of the arguments which they would no doubt hear in the course of this discussion. There was what he might call the trade argument. It was said—"You cannot carry on the business of a shipowner unless you have power to imprison the men for not going to sea." But that was an argument which was used over and over again when the Bill affecting workmen on shore was under consideration in that House without being yielded to. There was no class in the country which was allowed to carry on its trade by forcing the men to carry on their contracts by imprisonment; and why should the shipowner have a power which no other trade in the country was allowed to exercise? They were all familiar with the case of the enginetenter who would not lower people down into the coal pit, because that case was brought before the House over and over again; and they could not conceive a stronger case, because the refusal of the tenter to perform his contract would bring all things to a standstill. The House, however, would not listen to that case, nor would the Secretary of State for the Home Department, and at the present moment the engine-tenter who broke his contract of service was liable only to civil and not to criminal proceedings. But if he might put the matter in the most forcible manner before the House he would refer to the only exception that Parliament made—the exception in the case of the gas stokers. Contrary to the general principle of the law, they were still liable to imprisonment if they broke their contract. In the first place, a great many hon. Members did not agree with that exception, and even those who did agree to the exception in the case of the gas stokers would be by no means bound to make an exception in the case of seamen. Why were people who were in the employ of gas and water companies bound by imprisonment to fulfil their contracts? It was entirely in the interest of the public, not of the employers, that that exception was allowed by Parliament. Would the inhabitants of London suffer if two or three ships in the East India Docks could not go to sea? or would Liverpool suffer if some sailors struck and would not go to sea? His point was this—that there was no class of men in the country except persons employed by gas and water companies who were allowed to be imprisoned for a breach of contract, and then only when the effect of their breach of contract was to deprive the inhabitants of some city or populous place of their gas or water. He now came to another argument which was likely to be used, and that was the argument that seamen when they engaged for sea usually received advance notes or money, and that as a security for the repayment of those advances, you must give the shipowner the power to imprison them if they did not fulfil their contract. That was the very argument that had been used in the discussion on imprisonment for debt, and it would be really giving the shipowner a power to imprison for debt. It would be giving the shipowner a power of imprisonment for debt which no other trader enjoyed. It seemed to him that this argument was really a very strong argument in his favour; because the abolition of the power of imprisonment for breach of contract, if it did not actually destroy, would be a great interference with the system of giving advance notes. He did not vote for the abolition of advance notes, but he never disguised from himself the evils which advance notes caused; and if they could abolish them, not by special legislation, but by abolishing special legislation, he thought that it would be a good thing. There was a condition in the advance note that the man should go to sea, and there was no objection to notes being given to good seamen, but only to bad seamen. This was because it was known that the bad seamen could be looked after and could be forced to go to sea. But if the imprisonment were taken away, he should think that people would cease to advance money upon these advance notes, so that by abolishing the exceptional power of imprisonment they would indirectly interfere with the advance notes. The next argument which he would notice, he would call the discipline argument. When, upon the second reading of the Merchant Shipping Bill, he made a few observations upon the subject, his right hon. Friend (Sir Charles Adderley) thought that his proposition to exempt men from imprisonment for not fulfilling their contracts was irreconcilable with the proposition of the hon. Member for West Norfolk (Mr. Bentinck) in reference to securing discipline at sea. He (Mr. Gorst) was as strongly in favour of maintaining strict discipline at sea as the hon. Member for West Norfolk could possibly be; and he would never be a party to any legislation that would weaken the power of the master to control his men at sea. But discipline at sea did not depend upon statute law. A master had a right at Common Law to maintain discipline at sea; but that was a right which was in existence only when the ship was at sea. There was the greatest distinction between a ship in harbour and a ship at sea. One of the reasons why discipline was so bad was because, as things now stood, they treated their sailors a good deal too strictly before they went to sea, and not strictly enough when they were at sea. He should like to see a distinct line drawn between the treatment of seamen upon the voyage and the treatment of them before they went to sea. The utmost liberty should be given to seamen before the voyage commenced, but coupled with such discipline as would be necessary for safety. But the real object for having power of imprisoning men who were absent from their ships without leave was not the maintenance of discipline, but to force the men to go to sea; and when they so forced them to go to sea, under a pretext about the maintenance of discipline, they were really getting a power from the law under a false pretence. There was one other argument which he did not think that they would hear in that House, but it was very commonly used, and it was this. It was said—Granted that we treated seamen differently from other people; but then they were so reckless and improvident that they should be treated like children, and not like other people. He did not suppose that any one would use that argument in its naked form in that House; but he would say of it, in the first place, that premises were not true as to all seamen. There were among seamen, as among every other class, men of the highest respectability and character, and who had a right to claim the same liberty as was enjoyed by other persons. If it were said that seamen were really so reckless and improvident that they should be treated as children, he would ask hon. Members whether they accepted that state of things as permanent. If they did, then there might be some reason for exceptional legislation; but if they expected to raise and elevate the class of seamen, then the first step would be to do away with this exceptional legislation, for they could not make them respectable unless they gave them the same rights as other people. Exceptional modes for obtaining a better class of men, by training ships and otherwise, would all come to nothing so long as they stamped these men with degrading and exceptional laws. He had now answered by anticipation some of the arguments which they were likely to hear, and perhaps it would be right in him to stop there; but even at the risk of being injudicious he should like to carry the case a step further and express the opinion that there would be special advantages in extending to seamen the principles of the Labour Laws of last Session. What was the case which they had to deal with? It was the case of a man who had voluntarily entered into a contract to go to sea, and who in a few days was so reluctant to fulfil his contract that nothing but the threat of imprisonment would induce him to do so. In such a case it might be that the man was a bad seaman, or that the ship was a bad ship; but would it be wise to force a bad seaman to go to sea by the threat of imprisonment? Would it be of advantage to the owners or to the rest of the crew that they should have a bad seaman thrown among them? The best thing that could be done would be to let him go and thank God they were rid of the man. But in the case of a bad ship—in that case the conditions of the law was, that they gave a man a choice between being drowned or going to prison. The right hon. Gentleman (Sir Charles Adderley) would say that the man might call for a survey, and he could, if he got a fourth of the crew to join him; but perhaps he could not do that, or he might not have legal evidence, but only ground of suspicion. He believed that cases were constantly occurring in which men, by the threat of imprisonment, went to sea in ships in which they would not otherwise sail. Suppose that one of the crew of the *Talisman*, when they were at Cardiff, had reason to suspect that the ship was going upon a piratical expedition; then look at the man's position. If he had no legal evidence, though very good ground to suspect—evidence which was quite conclusive to his own mind, yet not any matter of evidence which was producible in a Law Court, they would then have a man who would be driven either to go to prison, or to become a pirate. He said that that was a state of the law which ought not to be allowed to continue. He thought the abolition of the power to force a man to go to sea by imprisonment would be one of the best securities they could take that the ships and seamen that went to sea were both in a satisfactory condition. He did not wish to undervalue the legislation that had taken place in reference to the security given by the Board of Trade surveyors; but he must confess that, if he were driven to an alternative, he would almost rather sweep away every other restriction, if he could only leave the seamen perfectly free up to the very last moment to refuse to go to sea upon the ground of the unseaworthiness or the inefficiency of the ship or crew. He believed that the effect of such freedom would be to induce owners to be very careful as to the condition of the ships and their seamen. If the seamen were left perfectly free down to the time of sailing, then he (Mr. Gorst) would not care how strict was the discipline at sea, provided that it was only such as was necessary for the security of life and property. He had brought this matter forward, because it was one that he felt very strongly indeed on, and he should be glad to hear any argument that was brought forward in a candid spirit; but, unless good reasons were shown to the contrary, he trusted that the House would insist upon our seamen having the same rights as were enjoyed by other people.

Mr. SULLIVAN seconded the Motion.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the Merchant Shipping Acts should be so amended that the breach of a contract of service not involving danger to life or injury to the ship on the part of a seaman should be no longer punishable with imprisonment and forfeiture, and should no longer render such seaman liable to be arrested without warrant within the United Kingdom,"—(*Mr. Gorst,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. SHAW LEFEVRE said, the House would recollect that, in the Bill of last year, considerable attention was directed to the question of discipline. The discipline clauses were much modified, and he regretted the present Bill of the Government did not deal with the important question now raised. Now that labourers generally were freed from imprisonment for breach of contract of service, he did not see why seamen should be kept under any exceptional law. He concurred in the opinion that it was necessary to maintain discipline when once a seaman was on board ship; and in the case in which a vessel put into port, and he there deserted, the question which arose was one which, in his opinion, required careful consideration. Where, however, the ship had not left its port of departure, he could not see in what respect the contract of service of a seaman differed from any other contract of service. There were, he might add, only two clauses in the Bill which affected the seaman in any degree—one by which it was sought to compel the shipowner to induce him to undergo a medical examination before he went into a vessel, the other which gave the Board of Trade power to contribute towards the maintenance of training ships. Now, he could not help thinking that the Government would do wisely to omit those two clauses from the present Bill. The latter was almost nugatory, because the Mercantile Marine Fund, out of which the contributions were to come, furnished last year absolutely no surplus income at all, while the average surplus during the past four or five years was not more than about £2,000 per annum. He would in those circumstances suggest to the right hon. Gentleman the President of the Board of Trade that it would be well if he were not prepared to adopt the course recommended by the hon. and learned Member for Chatham (Mr. Gorst), that he should omit the subject of the discipline of our seamen altogether from the Bill and confine it to the question of ships and their material, leaving the equally important question of rendering our seamen as seaworthy as possible to be dealt with next year. He doubted, he might add, whether it would, on the whole, be wise for the State to undertake, on a large scale, the training of boys for the Merchant Service, for a scheme of the kind, although there was no doubt a good deal to be said in its favour, was beset with considerable difficulties. For his own part, he concurred in the justice of the proposition laid down by the Government—that it was the duty of the shipowners themselves to bear the charge of training boys for the Merchant Service, but he had not as yet seen any great anxiety manifested by them to be taxed for the purpose.

MR. GOURLEY considered that the question which had been submitted by the hon. and learned Member for Chatham would require some investigation by the Board of Trade. He (Mr. Gourley) had always held the opinion that the law operated harshly in obliging a magistrate before whom a seaman was brought, for, it might be, unintentionally quitting his ship, to send him to prison without giving him the option of inflicting a fine. He should like to see it, therefore, in that respect, assimilated more to the Master and Servant Act which was passed last Session. The Motion before the House was an abstract one and difficult to deal with, and if the hon. and learned Member for Chatham received some assurance from the President of the Board of Trade that he would deal with the matter in an equitable spirit, he hoped the Motion would be withdrawn.

MR. BENTINCK said, he thought it was something like a fatality attending a Bill the object of which was to prevent the loss of life at sea, that suggestions should, time after time, be made which would tend greatly to increase that loss. They could not draw any comparison between a seaman and a labourer on land, and legislation for sea-going and shore-going business must be entirely different. The good men in the service wanted legislation which would deal with the black sheep and malefactors, who were the cause of discredit to the Mercantile Marine and of great loss to their employers. He believed that if Parliament assented to such a Resolution as that now submitted they would entirely put a stop to the possibility of carrying on successfully the business of the Mercantile Marine.

MR. PALMER regretted that the Government had not dealt with all questions relating to the discipline and training of seamen in a separate measure. He supported the Resolution because he was of opinion that sailors ought not to be exceptionally treated, but should be dealt with precisely in the same way as working men on shore. It was true that sailors were regarded as exceptional creatures and treated as children who were incapable of taking care of themselves; but he believed this arose from the vicious system connected with the Mercantile Marine, especially in reference to crimps at the seaport towns. As a large employer of labour he protested against the principle of levying rates and taxes for the purpose of enforcing civil contracts.

MR. SERJEANT SIMON said, he was partly answerable for the particular clause in the Labour Acts of last Session to which reference had been made in the present discussion, because it was passed in the amended form in which he proposed it to the House. He had contended last year, and always should contend, for equal laws for all our countrymen, and against any exceptional laws for the protection of any particular interest. He was, however, bound to admit that exceptional laws were required in certain cases—as, for example, to maintain discipline in the Army and Navy; and he was willing to consider any well devised suggestion which had for its object the maintenance of discipline on board mercantile vessels as well as on board Her Majesty's ships. The existing law, however, differed in principle from such enactments as these; and, in his opinion, it was neither creditable nor necessary. He could not sanction the principle that a man should be arrested and imprisoned merely for a breach of contract, or until it could be shown that a public injury would otherwise ensue. This was the exception in the Labour Law passed last Session. The case of the gas stokers was provided for not to protect the gas companies, but to protect the public, and prevent large towns from being left in darkness. It might be a terrible thing if a number of emigrants were to find themselves in a port where, at the last moment, when expecting to sail, all the seamen had deserted the ship, because they knew that there was no law to touch them. With regard to the Resolution before the House, he concurred in its principle, and therefore would support it, but he thought that it would require some modification in its terms, which he thought were too wide, before it could be embodied in an Act of Parliament.

Mr. HENLEY said, that though this Resolution was plausible on the face of it, still anyone who read it with the exceptions which the hon. and learned Member had introduced into it, must be convinced that service at sea and service on shore were entirely different, and could not properly be subjected to the same regulations. The exceptions were, endangering life and damaging the ship. Who was to tell what might endanger life? A ship might be at anchor in fine weather now and might go ashore by-and-by, and all become wreck and ruin. If we were to analyze these things, we must come to the conclusion that in cases where serious danger was involved we must apply a different punishment. If the laws were changed, and danger to the ship or loss of life were to ensue because the sailors had abandoned the vessel, the question was, whether the sailors would not have to be indicted for manslaughter, as railway servants were sometimes indicted. Believing the Resolution would have a mischievous effect, he hoped the House would not adopt it.

Mr. D. JENKINS said, a discontented crew was not worth having; and if before the ship left port the men showed any signs of discontent he would rather discharge them and get a fresh crew. With regard to drunken and abandoned characters, one half of these men were not seamen, but mere loafers, who came on deck, got a month's advance, and then were seen no more. He agreed with the Resolution, so far as it went, but there was a danger of men leaving a ship, even in Greenwich Reach or in the Downs, and he held that an exceptional enactment was required to compel such men to remain on board and do their duty.

Mr. HOPWOOD cited the existing Act, the 239th section of which, he said, provided for the very cases put forward by the hon. Member who had just sat down and other Gentlemen, by rendering the offenders liable to prosecution for misdemeanour. If that was the case, this Motion was redeemed from the charge of being specious and plausible. With regard to the discipline clauses, the history of their enactment was somewhat singular. We did very well without them until about the middle of last century, when complaints were made that seamen were not keeping their contracts, and an Act was passed for their regulation. That Act was passed, notwithstanding the opposition of the mariners, who prayed to be heard against it. The punishment for breach of contract first enacted was 30 days' imprisonment, and at that it remained until 7 & 8 Vict., when it was increased to 12 weeks, which in 1854 was reduced to 10 weeks, at which it now remained. He asserted that that punishment was preposterous in amount, and that its effect on the Maritime Service of the country was most injurious. In great numbers of cases men made engagements to serve on board a ship they had never seen; and then, when they got sight of her and did not like her appearance, and did not wish to serve, they were forced on board just because they had signed articles. Such legislation he declared to be most objectionable and pernicious. If they gave up the practice of making advances they would get rid of a great deal of this unsatisfactory state of affairs and many other accompanying evils. He believed the passing of the Resolution before the House was necessary for the removal of the difficulty which at present existed, and thought a case ought to be made out to induce the House to reject it.

Lord ESLINGTON said, he wished to point out to the House a few considerations on which he was prepared to contend that they should pause before they assented to the relaxation of discipline which would result from the adoption of the principles contained in the Motion of the hon. and learned Gentleman (Mr. Gorst). By the legislation which took place on the relations between master and servant last year the agreement entered into between a workman and an employer was made a matter of civil contract. But if a workman made a civil contract of this description, and the master could prove damage in consequence of its non-fulfilment, the latter might require him to make compensation, and in default of payment of such compensation the workman might be sent to prison. But if an owner of a ship sustained damage by reason of breach of contract by one of his seamen, and called upon the man to make him compensation, it happened in the great majority of instances that the man had no means of making compensation. He knew the case of as fine a ship as was probably in the Merchant Service which was about to set out a few days ago from the London Docks, but which, owing to the state of the tide, turned round again, when everyone of the engineers and firemen on board walked ashore and left her. Suppose, he asked, the owner of that vessel had contracted under heavy penalties to carry the mails, and that in consequence of the desertion of his men he was unable to perform the contract, how could he obtain compensation for the loss which he would incur? That he regarded as a very serious aspect of the question, and he hoped the House would pause before it sanctioned legislation which, in such circumstances, would take away from the owner all the control he could have over his men. He hoped his hon. and learned Friend the Member for Chatham would not deem it necessary, at least on the present occasion, to press his Resolution to a division.

Mr. BURT observed, that it was over nine years since imprisonment for a breach of a workman's contract with his employer had been abolished. At that time all sorts of evils were predicted as the result of that step, but those predictions had all been falsified; and so well satisfied was the House with what it did in 1867 that last year they were engaged in confirming and extending the same principle. A seaman under the present law might be arrested without warrant, and imprisoned for 10 weeks for desertion, and forfeit his earnings; but why should the sailor be treated differently from the rest of the working men of the country? It seemed to him that the arguments which had been so well urged by the Secretary for the Home Department and others in favour of the Employers' and Workmen Bill last Session applied to the case of the seamen with equal, if not with superior force, because a seaman was less able than an ordinary working man on land to protect himself, inasmuch as he could not enter into those combinations which, like the trades unions, wielded a great power. Indeed, the seaman was debarred from exercising any kind of direct political influence; and if he possessed that power he would not be placed in the invidious, and unjust position which he now occupied. The grievance complained of was not a sentimental one, for it came home to the seamen in their own persons and in those of their families; and it had been stated to him on good authority that a short time since two seamen had actually been sent to prison with hard labour for two months, although they had never quitted their ship, where their presence had been passed over unnoticed, simply because they, being tired after having worked during the whole night, had gone to their berths and were not observed at the time. He could very well understand the remark of his hon. Friend the Member for Sunderland (Mr. Gourley) that there was not so much difficulty in getting men as in getting good men; when, in addition to the dangers, the privations, and the hardships inseparable from his calling, there were kept in the background the policeman and the gaol to enforce service at sea. He trusted that some assurance would be given by the Treasury Bench that something would be done to remove the present harsh, arbitrary, and unjust provisions that existed in the laws so far as seamen were concerned; but if none were given, he hoped that the hon. and learned Member for Chatham would divide the House upon his Motion.

Sir CHARLES ADDERLEY said, he thought he had reason to complain. Last year he was blamed for occupying time in discussing discipline clauses before he came to the points upon which the House seemed to be most interested, and required should be dealt with first. Now that he had postponed the discipline clauses, the complaint was that he should have dealt with them first. Hit high or hit low, it appeared he could not please some hon. Members. It was much to be regretted, in his opinion, that discussion of the Bill in Committee should have been postponed by the Motion of his hon. and learned Friend the Member for Chatham, especially seeing that the hon. Member who had just spoken had a Bill on the subject. He believed the House was in earnest in wishing to deal with a measure providing for the greater security of life at sea, and he would remind hon. Members that, when in Committee, they would have every opportunity of expressing their opinions on every subject connected with the Bill. He very much concurred in the principle of the Motion before the House, but not in its details. The law was clear, that the relation between the shipowner and the crew was that between an employer and his workmen, and arose out of contract.

No doubt a breach of contract, being a civil wrong, ought to be dealt with, as a general rule, by a civil remedy. But the law had thought it necessary to make exceptions—both on shore and at sea, and gas stokers might be dealt with criminally for breach of contract, and breach of contract in service at sea under certain circumstances was also by many statutes treated criminally, owing to the nature of the service. If a crew were to be drowned owing to the desertion of some of them, would the hon. and learned Member (Mr. Gorst) say that it was not a proper case for criminal proceedings? The Commission on the Labour Laws saw that the peculiarity of the sea service was such that it must be exceptionally dealt with, and they were specially excepted in the Master and Servant Act. Service ashore and service afloat could not be treated alike, nor could they treat the offences of seamen wherever they were in the same way, whether committed on shore, or in a home or foreign port, or on the high seas. The exception to the civil remedy arose obviously from the necessity of discipline to prevent danger to life and property on board ship, and the exceptions admitted by the hon. and learned Gentleman would swallow up the propositions laid down in the Amendment. Where, under the varying circumstances of sea-service, would the hon. and learned Member draw the line, and say that the offences of seamen involved no danger to life? It had been said that the proposition of the hon. and learned Member would do good, because it would indirectly have the effect of destroying the advance note; but surely that was not the way to deal with a mischief of that sort, which had already been discussed by Parliament on its own merits. In dealing with the question before the House, it should be remembered that seamen were peculiarly protected by law—there was no class of workmen so nursed by the law, and who had so many advantages given them. Was the hon. and learned Gentleman prepared to say that the seamen were willing to forego these advantages, in order that they might be placed in all things on the same level as other workmen? The hon. and learned Member said nothing in his Resolution on that subject. It was a one-sided Resolution. With regard to their engagements, the summary mode of recovering their wages, the many provisions for their food, medicine, lodging, their care during sickness, they were specially protected by law. The hon. Member (Mr. Burt) said they might be forced on board, and when their agreement was once signed they were compelled to serve, whatever the state of the ship might be. The hon. Member could not be aware of the state of the law. If a sailor when he went aboard found any symptom of unseaworthiness in the ship, the Government, on his complaint, was bound to make inquiry at their own cost, whether his complaint were true or otherwise. For his part, he was inclined to agree with the hon. Member for West Norfolk (Mr. Bentinck), who had frequently stated in his place that the chief cause affecting the safety of ships was want of discipline. It was a well-known fact that ships were often obliged to go to sea with an imperfect crew, in consequence of the men deserting just when the vessels were going to start. That was a prolific source of danger; but hon. Members seemed to think nothing of that, and it was proposed to leave such matters to civil actions for breach of contract. The Report of the Commission on Unseaworthy Ships said that although many lives were lost through unseaworthy ships, yet there were many more lost by unseaworthy crews. Indeed, it was too often the case that the want of discipline at the commencement of the voyage was the cause of casualties. He (Sir Charles Adderley) would not recede from the principle he advocated last year. He believed the subject of discipline was one which required consideration. The general purport of the clauses in the Bill of last year was to give the sailor, convicted of the offences now under consideration, an alternative of fine and forfeiture of wages instead of imprisonment; and to limit the powers given to the shipowners, as to arrest without warrant, so that they should not go beyond what the circumstances of the case rendered necessary. These, however, were subjects rather to be dealt with by consolidation of the existing laws than by casual additions to them on this or that point, and he was perfectly ready, with the earliest time and opportunity, to deal with them. In conclusion, he appealed to those Members who had urged the Government to deal with the general question not to countenance the intervention, before they came to the discussion of the Government measure, of another subject which could not be included in that Bill.

Mr. MUNDELLA said, the right hon. Gentleman hardly did justice to the hon. and learned Gentleman who had brought forward this Resolution, because it expressly excluded cases "involving danger to life or injury to the ship." He (Mr. Mundella) believed the existence of unseaworthy seamen was in a great measure due to the present state of the law. It was argued that if the law were altered shipowners would suffer immense losses; but, as a matter of fact, first-class shipowners, as he understood, never required to exert their full powers. The Report of the Royal Commission showed that the great cause of the deterioration of seamen was the advance note, and until that were abolished there was no hope for the amelioration of their condition; and the keynote of the advance note was this power of summary arrest. If this power were abolished shipowners, instead of counting the number of men they put on board, would rather weigh their quality. The right hon. Gentleman talked of their being "nursed" by the State. It was high time that these men should not be kept in leading strings. The arguments now urged in reference to seamen were used last Session with regard to working men generally; but though terrible consequences were predicted as the result of the change in the law, no such consequences had followed. They would do the best service to the shipowners, the safety of the ships, and to the whole Mercantile Marine, by adopting this Resolution and setting the seaman free.

Mr. MAC IVER admitted that up to a certain point the seamen had a real grievance, but when they had once gone to sea the conditions were altogether changed, and the captain and officers ought then to have powers more than existed at the present moment. Indeed, the powers they had were being weakened every day; and proper discipline had been seriously lessened by what was done last Session, and by the Act of 1873. He particularly objected to those clauses by which a fourth of the crew could stop a ship and have her surveyed. The fact was, that such a survey was of the wrong description, and was conducted neither at the proper time nor under proper conditions.

Mr. MACGREGOR said, that the discipline clauses of the Bill of the right hon. Gentleman enacted with still greater rigour than previously existed the clauses giving facilities for the imprisonment of seamen. It had been said that seamen were treated in a different manner from other people, because of the great care which the State took of "Poor Jack." Was it taking great care of him to put him into prison upon every pretence? If a single sailor on board a ship with a crew of 30 or 40 was found smuggling, and ran away, the Custom House officers were entitled to take all the other men on board the ship, and also the stewardess, and put them in prison. He (Mr. Macgregor) sympathized with the Motion of the hon. and learned Member opposite; but, at the same time, he should like certain modifications introduced. He found great fault with the Board of Trade measure of last year, because it had a large number of clauses dealing with every other subject but the one the people wished for legislation upon—namely, the safety of life at sea. The time of the House had been frittered away without dealing with the matter which was of the greatest interest. He pointed out that the arbitrary powers which were so much objected to were not in force in Scotland, in which country it was necessary to obtain a warrant before a sailor could be imprisoned. He never felt the want of the arbitrary powers in force in England; but he did not want to find fault with shipowners of this country who used those powers, for they perhaps had to do with a worse lot of men. He trusted the President of the Board of Trade would give the hon. and learned Member for Chatham an assurance that if he did not now press his Resolution he would have an opportunity of proposing, by way of addition to the clauses of that Bill, provisions for carrying out the object he had in view. It was desirable that they should as speedily as possible get into Committee on a measure about which the country was so anxious.

Mr. MACDONALD expressed great pleasure in finding so many Members on both sides of the House urging that pains and penalties in connection with the laws of contract should be abolished, or, at least, that all classes of workmen should be put on an equal footing as regarded contracts of service. He could remember the time, some 30 years ago, when he stood almost single-handed outside of the House—in the House the very mention of the subject would have been laughed at—in maintaining that the gross inequality of the law ought to be swept away for the seamen as well as for every other class in the labouring community. If the President of the Board of Trade intended to take his stand on the principle of his last year's Bill on the question of the discipline of seamen, the House could have nothing to expect from him, and he hoped the hon. and learned Member for Chatham would go to a division.

Mr. RATHBONE said, he did not think it was necessary that the law should remain as stringent as it was now in regard to seamen, but, nevertheless, he did not see his way to voting for the Motion, because, if carried, it would negative the Motion for going into Committee, and delay the progress which they were so desirous of making.

Mr. W. E. FORSTER said, he thought it was impossible to dispute the proposition contained in the Resolution —namely, that seamen ought not to be more severely treated for breaches of contracts of service than other men when they involved neither danger to life nor the safety of the ship. He would vote for the Resolution if a division were forced; but he would rather see it withdrawn. Both sides of the House were in its favour; but if a division took place it would be sure to be defeated, and a false impression might thereby be created. He would suggest that the hon. and learned Member for Chatham should withdraw his present Motion and bring up clauses at a later stage of the Bill for giving effect to his principle, without now further delaying the progress of the measure of the Government.

The CHANCELLOR of the EXCHEQUER said, he thought the course indicated by the right hon. Gentleman who had just spoken was a reasonable and sensible one. He did not know whether it might be possible in the course of the Committee on this Bill to discuss clauses of the character suggested by the hon. and learned Member for Chatham. There was nothing in the title or the character of the Bill to exclude the consideration of such clauses if the Committee should be disposed to entertain them hereafter. But the mere passing of a Resolution of this sort would be simply impeding the Bill and losing valuable time. The Government thought that in bringing forward this Bill they had adopted the most practical means of attaining objects which the House and the country had at heart. It was not proposed as a complete settlement of all the questions relating to Merchant Shipping. The wisest course for the House to adopt on this subject, he believed, was not to attempt to do too much at once.

Sir GEORGE BOWYER recommended his hon. and learned Friend to withdraw his Resolution, and to consider the framing of some clause that would meet his object. It was to be hoped that criminal remedies would be applied only to those cases which the civil remedy was not sufficient to meet; and, if that were done, sailors and their employers would be adequately protected.

Mr. SULLIVAN said, the President of the Board of Trade, in the beginning of his speech, spoke almost in a tone of petulance of the proposal of this Resolution as an obstruction to legislation. He (Mr. Sullivan) warned the Government against falling into the error of 1875, and treating as obstruction that which was giving them an indication of the deep-seated feeling of the country. He believed that if the power of imprisoning seamen were abolished, if labour on deck were brought in the eye of the law to the same level as labour on the floor of a manufactory or a workshop, and if the dishonest minority of shipowners were deprived of all personal interest in over-insuring their ships, a score of Amendments that might otherwise be placed on the Paper would be rendered unnecessary. Now, as to one of those points, there was already before the House a measure which would deal with it, and as to the other point the hon. and learned Member for Taunton (Sir Henry James) intended to deal with it. All he asked was an assurance from the Treasury Bench that clauses would be brought up by the President of the Board of Trade as had been suggested on that side of the House and acquiesced in by the Chancellor of the Exchequer. There were five classes of persons, any one of whom might arrest a seaman without warrant for having deserted his ship—the commander, the mate, the shipowner, the consignee, and the ship contractor. To these he might add a sixth, "or any person specially authorized in writing by the owner, master, or consignee." Any of these might deprive the seaman of the protection of British law, and arrest him without warrant in any part of Her Majesty's dominions. Who were in the House to maintain this clause? Not the shipowners. That task was reserved for the President of the Board of Trade. [Sir CHARLES ADDERLEY: I was the only person who said that that clause ought to be struck out.] He (Mr. Sullivan) would observe that in the case of seamen imprisonment was the penalty resorted to, because it was alleged that the seamen were too poor to fear a pecuniary penalty. Then why not treat working men on land in the same manner? British seamen never deserted in British waters without valid reasons. He (Mr. Sullivan) hoped Her Majesty's Government would awake to the conception of the fact that this was one of the important subjects which required their immediate attention.

MR. GORST expressed his willingness to adopt the course suggested by the right hon. Member for Bradford, and approved by the Chancellor of the Exchequer, and therefore would withdraw his Resolution. He did not quite understand whether the Chancellor of the Exchequer pledged the Government to bring forward clauses having the effect required; but, if the Government did not bring forward such clauses, he would.

Amendment, by leave, *withdrawn.*

MR. W. HOLMS rose to move his Resolution—

> "That greater facilities and encouragement should be given to the engagement and training of apprentices by shipowners."

In doing so he quoted the Report of the Commission on Unseaworthy Ships in support of the opinion that the character of British seamen had deteriorated. It was important that shipowners should be encouraged to engage a larger number of apprentices. Unless a greater number of boys were trained for the Merchant Service there would be no improvement in the quality of our sailors, and no decrease in the number of foreign seamen employed in British ships. It might be urged that it was no part of the duty of the State to provide skilled labour in any branch of industry or commerce; but it should be borne in mind that this was not merely a commercial question. It was a great national question, as the Mercantile Marine must always, in time of war, be the principal Reserve from which men would be drawn to man the Royal Navy. At present our Navy consisted of 60,000 men and boys, with a Reserve of 17,000 men; but in the event of a great war, this number would be altogether inadequate. History repeated itself, and he would remind the House that in 1813 we had 147,000 men and boys in the Navy, and that at a time when the population of the country was not two-thirds of what it was now. What he would ask was the position of the country now compared with 30 years ago, so far as the training of boys was concerned? Previous to the repeal of the Navigation Laws in 1849 it was compulsory upon every shipowner to carry one apprentice to every 100 tons burden. In 1845 no fewer than 15,704 apprentices were enrolled; but in 1874 that number had decreased to 4,445. A great change had also taken place with reference to the employment of foreigners. In 1851 we had in our Navy 5,793 foreigners; but in 1873 we had no fewer than 19,840. To illustrate more distinctly the change that had taken place, he would take the case of 23 vessels whose size varied from 144 to 1,488 tons. They sailed from the various great ports of this country for India, America, China, the Mediterranean, and the Baltic. In 1849 these 23 vessels had 473 men in their crews, and in 1869 the crews were reduced to 372. He was not prepared to say how much that was owing to improved mechanical appliances or to undermanning. But they had specific information with regard to the composition of the crews of those two periods, and to that he wished to call particular attention. In 1849 these 23 vessels carried 81 apprentices, and in 1869 they carried only nine apprentices and six boys. In other words, in 1849 they carried 17 per cent of apprentices to the whole crew; whereas in 1869 the proportion was only 4 per cent. So far as regards foreigners a change also had taken place. In 1849 these vessels carried 21 foreigners, which was as near as might be 4 per cent of the crew. In 1869 they carried 53 foreigners, or something like 14 per cent. Another change that had taken place was, that while the number of able seamen had decreased, that of ordinary seamen had increased. We had, therefore, this unsatisfactory state of matters—that the number of boys and youths in training so as to become skilled seamen and prepared to fight the battles of their country had steadily diminished, while the number of foreigners, who, in the event of war, might turn against us had steadily increased. Now, he wished to call attention to what had been done to remedy this state of matters. In 1859 the Royal Commission on Manning the Navy recommended that we should have 12 training-vessels, each with 200 boys on board. If they were to take the time of training as four years, they would only supply 600 trained youths per annum; but this suggestion was not carried out. Nevertheless, they had abundant information with regard to training-ships. If they left out the *Conway* and the *Worcestershire*, which were training-ships for officers, there were still 15 training-ships. Those ships trained boys at an average cost of £20 4*s*. 6*d*. per annum, and last year they supplied 1,194 boys, but of this number only two-thirds went to sea, the other third having deserted or taken to other occupations. The question he wished to bring before the House was, how could we best encourage shipowners to carry an additional number of apprentices, without in the slightest degree interfering with their perfect right to carry, or abstain from carrying, them as they might think proper? That could only be done by appealing to the interest of the shipowners. Various modes had been suggested, but that which he believed had found most favour was, that in proportion to the number of apprentices carried there should be some reduction in the light dues. He would suggest that for every vessel of less than 200 tons carrying one apprentice, and for every vessel of more than 200 tons carrying at least one apprentice for every 200 tons, there should be a deduction of 25 per cent from the light dues. He would endeavour to show what inducement this would be to the shipowner. The average income from light dues for the last five years had been £405,000 per annum. If they deducted the amount paid by foreign vessels—namely, 26½ per cent, or £105,000—they would find that there was contributed in light dues £300,000. They would also find that the total tonnage of other than river steamers was 5,708,000, or roundly, 6,000,000 tons. It, therefore, followed that the amount paid by the shipping of this country was about 1*s*. per ton per annum. Therefore, if they took a vessel of, say, 800 tons, on an average she would pay £40 per annum for light dues, and if they gave a deduction of 25 per cent that would be equal to £10. At present, on an average, one apprentice was carried to every 400 tons—such a vessel, therefore, at present carried two apprentices—but if carrying four, there would be an inducement of £10 for the two additional apprentices, or £5 for each apprentice. It might be naturally asked, how many shipowners would take advantage of this? It was extremely difficult to form any opinion on this point; but in the first place, steamers would not take advantage of it, or large vessels going long voyages, and for this reason, that they did not carry so many apprentices as a rule, and as the light dues were levied by a passing toll, their contributions were smaller than in the case of vessels making shorter voyages; and, therefore, his proposal would not probably offer a sufficient inducement to such vessels to increase their apprentices. He would assume that half the vessels of this country would take advantage of this deduction and have extra apprentices. If they did so, they would have 3,000,000 of their tonnage carrying, not 7,500 apprentices, but twice that number; and for that the shipowners would receive a bonus upon the light dues, which they paid—namely, £150,000, of 25 per cent, or £37,500 per annum. He did not wish to say one word against training ships, so long as they were used for reformatory and industrial-school purposes, because they were training boys, who otherwise would be left uncared for, to be useful men; and if they were not sent to training ships they would require to be sent to some other industrial school. The next point was whether the light dues could stand the proposed deduction. The average income from the light dues during the last five years was £405,000, and the expenditure had been considerably less than the income. The net average excess of revenue over expenditure during that period was £45,600. It, therefore, followed that even if they took the amount he suggested they had a considerable margin left. But, further, they had in the Mercantile Marine Fund a surplus—chiefly arising from light dues—amounting to upwards of £286,000. It seemed to have been forgotten, that while the country had been giving training vessels for the encouragement of children of less provident parents, they gave no encouragement, but really threw obstacles in the way of the children of respectable parents joining the Mercantile Marine. Under the Act of 1854, any person other than the shipping master engaging an apprentice to the owner of a ship was liable in a penalty of £20, and the shipowner so receiving a boy was also liable to a similar penalty. It appeared to him that this restriction was not only unnecessary, but most mischievous, and ought to be removed. There was another point to which he wished to allude. As the law now stood, a shipowner could not pay off an apprentice, however bad he might be. The Committee on Unseaworthy Ships reported on this question that there was a difficulty, and that it would be convenient that it should be removed. He would only add that if such a course as that which he had indicated was adopted, it would not add a single official to those we now had; while it would tend to increase the number of trained British sailors and to diminish the number of foreigners in our employ; and by making our Mercantile Marine more efficient, it would contribute to the safety and power of the Empire.

Amendment proposed,

> To leave out from the word "That" to the end of the Question, in order to add the words "greater facilities and encouragement should be given to the engagement and training of apprentices by shipowners,"—(*Mr. William Holms,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Sir CHARLES ADDERLEY said, he hoped the hon. Member would not suppose that he did not take a deep interest in this question if he did not at present

answer his observations. The hon. Gentleman had three Notices of Amendment on the Paper, and as they embodied the one before the House, it was to be hoped he would not press this to a division. The proposal of the hon. Gentleman was a novel one. He proposed that English shipowners having apprentices should have a bonus paid out of the light dues. This would be to tax the whole commercial world for the benefit of a class, and it would also induce shipowners to dismiss their men and take boys, in order to get rid of the light dues.

Amendment, by leave, *withdrawn.*

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

Bill *considered* in Committee.

(In the Committee.)

Preliminary.

Clause 1 (Short Title) *agreed to.*

Clause 2 (Construction of Act) *agreed to.*

Unseaworthy Ships.

Clause 3 (Sending unseaworthy ships to sea a misdemeanor).

Mr. MAC IVER moved, in page 1, line 12, before "sends" to insert "wilfully" the object being to limit criminal liability for sending a ship to sea which might prove unseaworthy to those who did so "wilfully." He was supported by the high authority of Mr. Justice Brett, who, as he had just been informed, had in his charge to the Grand Jury at Liverpool, held that day, used words which had an important bearing upon the Amendment. They amounted, in effect, to a condemnation of the clause as it stood in the Bill. The learned Judge, referring to the Act passed last year, observed upon the absence of the word "intentional" in reference to the sending of unseaworthy ships to sea, and stated that such omission would change the principle of our criminal law. It was to be regretted that a Bill, which in most other respects was a good one, should at its commencement be disfigured by such a clause as this. What had British shipowners done, or what had British shipmasters done, that they should be subjected to such legislation? The fault in regard to these proposals was not with the Government. They had done no more than give a proper consideration to what they had every reason to believe was the respectable shipowning opinion of the port of Liverpool, urged privately upon them through the hon. Member for Liverpool (Mr. Rathbone) and supported in the House of Commons with all the eloquence of the hon. and learned Member for Durham (Mr. Herschell). He had the greatest personal regard for these Gentlemen. They had, no doubt, acted in entire good faith. The clause in question originated with the Merchant Shipping Act of 1871, and after a most eloquent speech from the hon. and learned Gentleman (Mr. Herschell) was introduced with certain alterations into the Merchant Shipping Act of last Session. His (Mr. Mac Iver's) three points were—first, that the clause was useless; second, that it might work injustice; and third, that it was dishonest. In regard to the first point, it was only necessary for him to call attention to the fact that the clause had been practically without results. The truth was that all such legislation was wrong in principle, because based on the assumption that vessels were purposely lost. Except in the rarest instances vessels were not purposely lost; and preventible disasters arose from ignorance rather than crime. But even with the greatest care, with good ships and good crews, there would always be disasters of some kind, and in considerable frequency. The legitimate dangers of the sea still remained, and no shipowner, however prudent, could hope to be entirely exempt from disaster; but with the disappearance of the vessel there commonly disappeared alike the evidence of guilt, if there were any, and equally the evidence of innocence. It was therefore entirely wrong that the ordinary principles of British law should continue to be reversed, either as regarded shipowners or as regarded shipmasters. The innocent shipowner might find it impossible to prove his innocence, and if anyone were caught by such legislation it was likely to be the unwary rather than the guilty. He thought that his first point was established as well as the second. Such legislation had no terrors except for respectable private shipowners. The clause was only intended by its promoters as a means of defeating other legislation. The objection of his hon. Friend opposite (Mr. Rathbone), and certain active members of the Steamship Association to all legislation in regard to load-line was well known, and they hoped by means of this clause to provide a plausible remedy which might frustrate the legislation that was really required. By the leave of the Committee he would read the following extract from the last Report of the Liverpool Steamship Owners' Association—

> "The Association beg also to record their obligations to Mr. Herschell, Q.C., the Member for Durham, who gave their views the fullest consideration, and acted with Mr. Rathbone in the course which he took in reference to the Bills, and also devoted much time and thought to the preparation of the clauses inserted in the Act of 1875, which are intended to supply the deficiency of the 11th section of the Act of 1871."

It was apparent from other portions of the same Report that £500 had been spent by these gentlemen in obtaining the clauses referred to. They were now most anxious to get rid of them, for, although the hon. and learned Gentleman's (Mr. Herschell's) clauses had been round the leading solicitors in Liverpool, and although his hon. Friend opposite (Mr. Rathbone) had—fortified by the opinion of these gentlemen—endeavoured to convince the general body of shipowners that the clauses were safe ones, the hon. Gentleman opposite (Mr. Rathbone) had not been successful. The clauses were safe only so long as they meant nothing; but the House of Commons did not intend them to mean nothing. Legal acumen was one thing, but practical considerations were another; and at the present moment there was not a seaport in the Kingdom where respectable shipowning opinion was not wholly against those clauses. Clause 3, in its present form would be opposed from every quarter of the House of Commons. It was at variance with the general principle of the Bill. The Bill—in the main—was a good one, and was at least an honest endeavour on the part of the Government to discriminate fairly and properly between that amount of supervision that was reasonable and that which was not. It was valuable as much for what it would repeal as for that which it enacted. It swept away several of the most objectionable portions of recent legislation, in so far as recent legislation involved a meddlesome and improper interference with the daily details of a shipowner's business. The Bill placed a proper responsibility upon shipowners in regard to determining their own load-line, and if it was less satisfactory in regard to survey it was at least an improvement upon previous statutes. He would conclude by saying emphatically that the notion of preventing disasters by intensifying the responsibility of shipowners was "absolute rubbish," and that it would always be easier to reach the ships before they sailed than to punish the owners of unseaworthy vessels after their ships had gone to the bottom.

Mr. E. STANHOPE observed, that the clause as proposed to be amended would stand thus—that every person who wilfully sent, or attempted to send, a ship to sea in such an unseaworthy state that life was likely to be endangered, should be guilty of a misdemeanour; and surely if it was "wilfully" done, the punishment should be a much more serious one than that of a misdemeanour under this Bill. The clause simply threw upon a person who sent an unseaworthy ship to sea, the burden of proving that he had used all reasonable means to ensure the ship being sent in a seaworthy state. He hoped the Committee would not sanction the addition to the clause.

Sir HENRY JAMES expressed his great gratification that the Government had declined to accept this Amendment. If the word were inserted the clause would be entirely useless. He thought the House should be on its guard against the shipowners' Amendments which were being hawked about the Lobby. The proposal of the insertion of the word "wilfully" had been allotted to him at one time, but he refused to undertake it. He wished to speak with the greatest respect for the abilities of Mr. Justice Brett; but his opinion on a matter of this kind ought to have no greater weight than if delivered as a Member of the House of Commons. He thought the fact that a ship had been sent to sea in an unseaworthy condition should be *primâ facie* a ground of offence. The duty of a shipowner was to see that a ship was sent to sea in a seaworthy state, and if it could be shown that the ship was seaworthy when sent to sea the owner would be exonerated from all blame. The clause was exactly what was required.

Sir GEORGE BOWYER said, he thought that the insertion of the word "wilfully" in the clause would be a very great mistake. He pointed out that if a shipowner sent a vessel to sea with the knowledge that she was unseaworthy, and the vessel and crew were lost, he rendered himself liable to a charge of murder.

Mr. NORWOOD protested against the remarks of the hon. and learned Gentleman (Sir Henry James) in regard to the Amendments proposed by the Committee of Shipowners. This was a matter in which the shipowners were deeply interested, and it was not right to seek to prejudice the House against fair discussion of their Amendments. The clause was, in fact, opposed to the principles and the practice of the Common Law. The law presumed that every man was innocent, until he was proved to be guilty by a fair trial by a Judge and jury. In this case there would not even be the form of a trial, for the shipowner was assumed to be guilty until he proved his innocence. If a man did send knowingly an unseaworthy ship to sea it ought to be punished even more severely than a common misdemeanour. He thought the clause in the Act of last year, of which the present one was a copy, had been passed in haste, and he trusted that the House would see the propriety of amending it.

Lord ESLINGTON said, that the hon. and learned Member for Taunton was not very accurate in his recollection. The word which the shipowners had asked him to propose was not "wilfully," but "knowingly." The hon. and learned Gentleman had shown a warmth and prejudice which he hoped the House would not imitate.

Mr. WATKIN WILLIAMS was of opinion that the insertion of the word "wilfully" would altogether destroy the effect of the clause. The only person who could know whether the ship was in a proper state to be sent to sea was the shipowner, and if he neglected that duty he ought to be amenable for the consequences.

Mr. O'REILLY said, the only argument he had heard in favour of the introduction of the word "wilfully" was founded on the principle of the English law that the guilty intention must be proved before conviction. That was no doubt so in strictly criminal cases, but there were other offences which rested upon the absence of rectitude. If they inserted this word they might make the penalty as severe as they wished, and it would be only the safer for the shipowners, as the severer the penalty the more a jury would hesitate to convict.

MR. RATHBONE contended that any owner who was so far culpably negligent as to wilfully send an unseaworthy ship to sea was a criminal, and ought to be punished for it. Shipowners must take their choice between one of two courses—either to submit to Government supervision or to take the control of the matter into their own hands, and abide the consequences. He, for one, was prepared to take the latter course, and, if criminal, to go to prison.

MR. SULLIVAN said, thee was not the slightest fear of the evils arising which the hon. Member who proposed the Amendment apprehended. The word "wilfully" was not necessary, and though the clause looked very savage it was practically a most harmless one.

SIR JOSEPH M'KENNA reminded the Committee that a prosecution could not be instituted under the clause without the consent of the Board of Trade.

SIR ANDREW LUSK supported the Amendment. He declined to leave the matter entirely in the hands of the hon. and learned Member for Taunton (Sir Henry James), who was ready to take a brief from any side. He protested against the shipowners being subjected to the process of vivisection. This clause applied not only to the shipowner, but to every person who might be connected with sending an unseaworthy vessel to sea—so that the shipbroker, who knew nothing whatever about it, and even the master of the tug which was employed to tow such a vessel to sea, would come within the clause. If a man went home drunk it might be said he was likely to set his house on fire; but if he did they would not therefore indict him as a criminal. In the Mines Regulation Act they had inserted the word "wilfully." Why should it not be inserted in this Bill?

MR. SHAW LEFEVRE said, that there had been no instance of a shipowner being convicted for sending a ship to sea in an unseaworthy condition before the Act of last year. It was satisfactory to know that at the present moment Mr. Justice Brett was engaged in a trial of that kind. He believed if the word "intentional" were retained the Act would be rendered nugatory.

MR. MAC IVER said, that the shipowners did not deserve the taunts of the hon. and learned Member (Sir Henry James). They were few in number in that House, but they were honest men, who desired as strongly as any person that the lives of our seamen should be protected. The clause was opposed by all the respectable shipowners in the country. The opposition to the Amendment had been based on the mistake of believing that vessels were purposely lost, which, unless in the rarest instances, was not the case. The vast number of cases of the loss of ships occurred from causes with which this clause could not deal. In almost all those cases the evidence of guilt, if it existed, had disappeared, and in 99 cases out of 100 the evidence of innocence had also disappeared. The clause would only be a terror to the honest man.

MR. PLIMSOLL said, if it were provided that no unseaworthy ship should be sent to sea all dispute as to whether it was done intentionally or not would be avoided. If shipowners complied with the necessary preliminaries, and did not send their vessels away until they had been inspected and pronounced seaworthy, they could not reasonably be held responsible for any casualty that might occur.

SIR HENRY JAMES regretted that anything he had said should have given annoyance to the hon. Member (Mr. Mac Iver) or other shipowners. He had no such intention; but merely wished to say that the class affected by the proposed legislation were taking a view contrary to that held by many independent Members of that House.

MR. T. E. SMITH, as a shipowner, wished to state that he had no intention of moving or supporting anything to evade the object of the Bill, which he believed to be the saving of human life. He thought the Amendment would be nugatory, and that the shipowners ought to accept the responsibility which it was sought to place upon them. Whether what was proposed by this clause was the spirit of the English law or not, he was sure that it ought to be the spirit of the law. If a man wilfully sent a ship to sea which was unseaworthy, and lives were lost in consequence, he was guilty of murder, and ought to be punished.

Amendment, by leave, *withdrawn.*

Mr. WATKIN WILLIAMS moved that the Chairman should report Progress. They were now entering on a class of very important Amendments, which could not be properly discussed at that late hour.

Sir CHARLES ADDERLEY expressed a hope that, before reporting Progress, the Committee would decide upon the next Amendment, which stood in the name of the hon. Member for Derby (Mr. Plimsoll).

Lord ESLINGTON thought it too late to enter into the discussion of an Amendment that must necessarily occupy a considerable time.

Mr. W. E. FORSTER said, he hoped Progress would be reported and that the Bill would not be taken again until Monday.

Mr. SULLIVAN, on behalf of the hon. Member for Derby, who, he said, was too much fatigued to proceed further with the discussion of the subject that night, expressed a similar hope.

The CHANCELLOR of the EXCHEQUER said, the Government were exceedingly anxious to proceed with the Bill on account of its great importance; but, at the same time, he was willing, under the circumstances, to agree to report Progress on the understanding that the Bill should be proceeded with as the First Order on Monday.

Motion *agreed to*.

House *resumed*.

Committee report Progress; to sit again upon *Monday* next.

HOUSE OCCUPIERS DISQUALIFICATION REMOVAL BILL—[Bill 29.]

(*Sir Henry Wolff, Sir Charles Russell, Mr. Onslow, Mr. Ryder.*)

SECOND READING. ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Question [22nd March], "That the Bill be now read a second time."

Question again proposed.

Debate *resumed*.

Sir CHARLES W. DILKE remarked that, although this Bill was a very short one, it was of a very important character, inasmuch as it re-opened the whole question both of the franchise and of registration; and he objected to the House being asked to read it a second time without a word of explanation having been given.

Mr. EVANS moved the adjournment of the debate.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. Evans.*)

Sir H. DRUMMOND WOLFF said, he explained the Bill on several occasions last year. Its object was simply to prevent persons who left their house for a little time and let it during their absence from being disfranchised for the year on account of such temporary non-occupation. Hon. Members opposite were under a misapprehension as to the true character of the Bill, and he felt it his duty to press its second reading that night.

Question put.

The House *divided*:—Ayes 76; Noes 134: Majority 58.

Original Question again proposed.

Mr. DILLWYN moved the Adjournment of the House, repeating the objection that a Bill of so important a character should be forced on the House without any explanation.

Motion made, and Question put, "That this House do now adjourn."—(*Mr. Dillwyn.*)

The House *divided*:—Ayes 79; Noes 122: Majority 43.

Original Question again proposed.

Mr. MACDONALD said, that as this Bill, to a certain extent, opened up the whole question of representation, he thought they ought to be very careful how they handled such a subject, and as Her Majesty's Government had refused to give any explanation upon the subject, he begged to move the Adjournment of the Debate.

Mr. BIGGAR seconded the Motion.

Motion made, and Question put, "That the Debate be now adjourned." —(*Mr. Macdonald.*)

The House *divided*:—Ayes 76; Noes 118: Majority 42.

Original Question again proposed.

The CHANCELLOR of the EXCHEQUER said, he thought the House was getting into a rather false position in regard to that Bill. He was not present when its second reading was moved, but the Bill was introduced last Session, and passed through all its stages up to the third reading. It was affirmed by a considerable majority, and was supported by the Secretary of War on behalf of the Government. It only failed to obtain a third reading owing to the difficulty which measures brought forward by private Members often had to encounter. It had now been re-introduced by the hon. Member for Christchurch, and it appeared to him (the Chancellor of the Exchequer) to be one of a very reasonable character, the object being the removal of a disqualification which applied to a certain number of persons who lost their votes by reason of letting their houses for a certain time. The Bill having been discussed last Session, it was not unreasonable to proceed with the discussion on the second reading at a quarter past 12 o'clock. He did not know how a measure of this sort was to be fairly discussed, if the tactics which had been adopted were to be pursued. It had been said that the Government ought to have expressed some views with regard to this Bill. They had done so on a former occasion, and saw no reason to change their opinion that it was a reasonable Bill. He hoped the House would not persevere in the determination not to discuss the measure; and that if it was found inconvenient to spend much more time over it to-night, they would allow the second reading to be taken, and discuss it in Committee.

MR. LOCKE thought the Bill would not do any good on that (the Liberal) side of the House. Nobody on that side understood it, and those who understood it on the other side had an object which could not be mistaken. He moved that the House do now adjourn.

Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. Locke.*)

MR. ANDERSON considered the Bill to be perfectly equitable, and was sorry that hon. Members on his side of the House had taken the course they had pursued with regard to it.

SIR CHARLES W. DILKE believed that the Bill infringed the principle of the Reform Act of 1867. At any rate it was fragmentary, and a measure of this nature ought to be in the hands of the Government.

SIR H. DRUMMOND WOLFF said, the Bill was intended to remedy an oversight of the Reform Act; and if the House would agree to the second reading, he would fix the Committee for a time which would allow of further discussion.

MR. MUNDELLA thought they ought to proceed at once with the discussion.

MR. D. ONSLOW replied that it was unjust to accuse the supporters of the Bill of not having given full opportunity for discussing its provisions last year and during the present Session.

MR. T. E. SMITH argued that this Bill did not violate any principle of the Reform Act.

Question put.

The House *divided:*—Ayes 71; Noes 106: Majority 35.

Original Question again proposed.

MR. BRIGGS said, it was not a favourable time for a man to make his "maiden speech." He had been in the House now 13 hours, and, feeling that it was unreasonable to proceed further with the Bill at that hour, he moved the Adjournment of the Debate.

MR. MELDON seconded the Motion.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. Briggs.*)

THE CHANCELLOR OF THE EXCHEQUER thought, under the circumstances, that it was advisable to adjourn the debate.

Question put, and *agreed to.*

Debate *further adjourned* till *To-morrow.*

BEER LICENCES (IRELAND) BILL.

Considered in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to amend the Law in respect of granting Licences for the Sale of Beer, Ale, and Porter in Ireland.

Resolution *reported:* — Bill *ordered* to be brought in by Mr. MELDON, Mr. CHARLES LEWIS, and Mr. WHITWORTH.

Bill *presented,* and read the first time. [Bill 113.]

House adjourned at a quarter
before Two o'clock.

HOUSE OF LORDS,

Friday, 24*th March*, 1876.

MINUTES.]—PUBLIC BILLS—*First Reading*—Royal Titles * (41); Consolidated Fund (£10,029,550 5*s.* 1*d.*)

Second Reading—County Palatine of Lancaster (Clerk of the Peace) (34); Manchester Post Office * (33).

Third Reading—Council of India (Professional Appointments) * (28), and *passed.*

THE GOLD COAST—THE OUTRAGE AT WHYDAH.

QUESTION. OBSERVATIONS.

LORD COTTESLOE asked the Secretary of State for the Colonies, Whether he is able to give the House any information respecting an outrage said to have been committed at Whydah upon the European agent of an English house; and as to the expedition which Commodore Sir Wm. Hewett is stated to have undertaken in H.M.S. "Active," with four gunboats, and accompanied by the Lieutenant Governor of the Gold Coast, for the purpose of punishing the authorities at Whydah; and as to other offences said to have been committed by the Dahomians against Englishmen? The matter was of some importance, if only because an expedition had been undertaken composed of four vessels of war, and accompanied by the Lieutenant Governor. He was afraid that this might unhappily turn out a prelude to another of those little wars that this country had been engaged in from time to time, and therefore it was desirable to ascertain what steps were likely to be taken in reference thereto. Differences of this kind, which began in a small way—about the size of a man's hand—involved much anxiety, trouble, and expenditure of money. The telegram which reported the outrage on two English subjects also stated that two Frenchmen were bound hand and foot, flogged, and were put into empty casks and kept there for a considerable time. The King of Dahomey was a warlike and powerful Prince, and, next to the King of Ashantee, was the most powerful Ruler on the West Coast of Africa, and his dealings with his neighbours and Europeans were of the most unscrupulous character. He had a standing army of 10,000 men, and, like all warriors, he delighted in war, and in cutting off the heads of his subjects. He had also a body-guard, who were no mean or contemptible opponents, composed of females. They were said to be well-drilled, efficient, and as brave as men, or even more so; for they were said to keep the men up to their work, they fully understood the use of the musket, and their activity was surprising. They fought bravely in the last war against Abbeokuta, and those Amazons who were engaged in that expedition were nearly all cut off. The King of Dahomey therefore was by no means to be considered as a contemptible enemy. No doubt a large portion of the revenue of the King was derived from the traffic in slavery; and in a despatch sent home to this country by Commander Wilmot, it appeared that the King of Dahomey had said that if he attempted to put down the slave trade and an end to human sacrifices he would lose his own head. His Lordship, in conclusion, said that he had no doubt that Her Majesty's Government were alive to the occurrences which were taking place on the Gold Coast, and that they would be prepared to interfere if necessary; but this was a point on which he thought they ought to have information.

THE EARL OF CARNARVON said, he had very little official information on the subject of his noble Friend's Question. He had seen in the newspapers the telegram to which his noble Friend had referred, but neither that telegram nor the substance of it had ever reached the Colonial Office. Some time ago circumstances occurred which, perhaps, were the foundation of the telegram—unless, indeed, since that to which he alluded, there had occurred one of those outrages which were not infrequent on that coast. If so, it must have been a matter of trifling importance, and certainly need not assume the dimensions which his noble Friend apprehended. He had received no information that there had been any such outrage as that mentioned in his noble Friend's Question, or that any expedition had been sent to punish the King of Dahomey. What he had received information of was this—The town of Abbeokuta was not far distant from Whydah, which was about 50 or 60 miles from the capital of Dahomey. In Abbeokuta there were a large number of Christian missionaries, and from time to time he received communications from them.

It appeared that it was the custom of the Dahomians to make an annual raid on Abbeokuta. Those raids were connected with the abominable practice of human sacrifice, and sometimes they were very serious, and ended in hostilities. He had received from the societies that had sent out the missionaries urgent requests that he should ask the British authorities on the Gold Coast to represent to the King of Dahomey the objectionable character of those incursions. In accordance with those requests he had directed the Governor to take a suitable opportunity of making such a representation: and a short time ago he received a despatch from the Governor stating that he had taken advantage of the presence of Commodore Hewett with his ships on the coast, to send a letter by Captain Lee, the official Administrator, asking the King to put an end to those incursions, and to cause his subjects to abstain from the abominable practice of human sacrifice. Beyond that he knew nothing. He hoped what had been done would have the desired effect; but, whether it should be successful or unsuccessful, he had no reason to apprehend that any little war would arise between this country and Dahomey.

THE SUGAR CONVENTION, 1875— REFUSAL OF THE DUTCH CHAMBERS.

QUESTION. OBSERVATIONS.

LORD HAMPTON asked the Secretary of State for Foreign Affairs, Whether it is true that the Dutch Chamber has refused to ratify the Convention for the abolition of bounties on the export of refined sugar which was agreed upon by delegates from Great Britain, France, Holland, and Belgium at a conference in Brussels in July, 1875; and, if so, what steps Her Majesty's Government propose to take to secure for the produce of the British sugar colonies that equality of competition which the said Convention was designed to establish? The noble Lord said, he thought the time might perhaps not be very far off when their Lordships' attention might be invited to the unfair competition to which the sugar trade of this country and of our West Indian Islands was exposed with the slave-grown sugar of Cuba and Brazil. Now, however, he had simply to call their attention to the competition to which the sugar trade of this country was exposed from the bounties on sugar exported from France, Holland, and Belgium. He had complained, on a previous occasion, of the non-performance of the various Treaties and Conventions that had been framed; and on that occasion the statement made by the Foreign Secretary was most satisfactory, and showed upon his part a true appreciation of the great disadvantages and difficulties to which our sugar trade was exposed. At that very time there was a further Convention between the same four Powers, by which it was agreed that this question should be put upon a more satisfactory footing; and the terms of this Convention were accepted as satisfactory by those engaged in the sugar trade in this country. But although the sugar trade of this country was satisfied with the terms of that Convention, he was obliged to add that they had great distrust as to whether the terms of it would be firmly and faithfully carried out. He had a copy of a letter in his hand from a noble Friend of his who recommended that Great Britain should not sign the Convention unless they were assured that the terms of it would be faithfully carried out. After full consideration the Government determined to authorize the signature of the Convention. But the apprehensions expressed had been fully justified, for the Convention had not been carried out, and those engaged in the sugar trade in this country found themselves in consequence under severe disadvantages. Instead of the operation of the Convention commencing on the 1st July, it was postponed until the 1st of the present month; and since then the 1st May, it was said, had been fixed upon as the term at which under this Convention refining in bond was to commence. He wished to know whether this report was correct; and further, what would be the effect of the refusal on the part of the Dutch Chamber to ratify the Convention upon the interests of those who were engaged in the sugar trade in this Kingdom? He was afraid that the effect would be that all these negotiations that had been going on for years would be entirely useless; and that the sugar trade in this country would be exposed to a most disastrous, if not ruinous competition.

THE EARL OF DERBY said, he was afraid that the information he had to give his noble Friend on this subject would be found scanty, and he was afraid also that his noble Friend would not consider it as altogether satisfactory. It was quite true that the Dutch Parliament had refused to give the sanction which would be necessary to make the Convention effective. On hearing the result of the debate in which that sanction was refused, he thought it right to inquire of the Dutch Government what they proposed to do. The answer he received from the Dutch Government was, that the question of abolishing the duty on sugar was before the Dutch Parliament—that Notice of a Motion on the subject had been put on the Paper—and that until the Dutch Government knew what the feeling of the Dutch Legislature was upon that question, they would not feel justified in coming to any decision themselves. Her Majesty's Government were in communication with the French and Belgian Governments also on the subject of the Convention. He was aware that the persons whom his noble Friend represented were deeply affected by the question now at issue; and they might be assured that it would not be neglected by Her Majesty's Government—that the matter would not be lost sight of. While he said that, he was bound to say that the powers of Her Majesty's Government in a matter of this kind were very limited. The English duties on sugar had been abolished, and he did not suppose any Ministry or any party in the country would propose their re-imposition. Neither would a proposition for duties of a differential character, to apply to sugar coming from one country rather than to that coming from another, find acceptance in England. It was not a proposal which any Parliament would be likely to sanction. If, therefore, foreign Governments should continue by a system of bounties to produce an artificial cheapness to the British consumer, and so to undersell the English refiner, that was a matter with which Her Majesty's Government would feel it extremely difficult to deal. They could only give what appeared to them to be good advice, in pointing out what were the disadvantages and evils arising from such a system; but, after all, it was in the good sense and sound judgment of foreign Governments that Her Majesty's Government must place their reliance rather than in anything they could do themselves.

COUNTY PALATINE OF LANCASTER (CLERK OF THE PEACE) BILL—(No. 34.)

(*The Lord Winmarleigh.*)

SECOND READING.

Order of the Day for the Second Reading, read.

Lord **WINMARLEIGH**, in moving that the Bill be now read the second time, said, the Bill was merely an amendment of a previous Act—the 34th and 35th of the Queen—and its object was to put the Clerk of the Peace of the County Palatine on the same footing as the clerks of the peace of other counties. By a provision of the Bill the chief clerk would have deputy clerks to assist him in the discharge of the duties of his office, but he would be alone responsible for their proper discharge, and would have to pay their salaries.

Moved, "That the Bill be now read 2^a."—(*The Lord Winmarleigh.*)

The Earl of **HARROWBY** said, he had been requested to present two Petitions against the Bill; but in presenting them he deemed it right to observe that, having listened to the statements of the noble Lord in moving the second reading of the Bill, he felt he could not offer any opposition to it.

Motion *agreed to:*—Bill read 2^a accordingly, and *committed* to a Committee of the Whole House on *Monday* next.

House adjourned at Six o'clock,
till To-morrow, half past
Eleven o'clock.

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HOUSE OF COMMONS,

Friday, 24th March, 1876.

MINUTES.]—Supply—*considered in Committee*—Civil Service Estimates—Class III.

Public Bills — *Second Reading* — Poor Law Amendment * [78]; Mutiny *; Marine Mutiny *; Poolbeg Lighthouse * [105].

Third Reading—(£10,029,550 5*s.* 1*d.*) Consolidated Fund, and *passed.*

LICENSING ACT (IRELAND), 1872—PUBLICANS' SIGN BOARDS.

QUESTION.

Mr. SULLIVAN asked the Chief Secretary for Ireland, Whether any Order has been issued regarding the enforcement of sections 11, 26, and 49 of the Licensing Act, 1872, having reference to publicans' sign-boards; if he is aware that the provisions of said sections are generally unenforced throughout Ireland; and, if the Government intend to take any steps to have the Law carried out?

Sir MICHAEL HICKS-BEACH: The sections referred to, Sir, provide that sign-boards, showing the name of the licence-holder and the particulars of the licence, should be affixed to the premises of publicans and retail beer-dealers. They have not been generally enforced throughout Ireland. My attention was called last winter to the subject; and in January last instructions were issued to the Dublin metropolitan police to enforce these sections throughout the Dublin police district, in which a large proportion of the retail beer-dealers of Ireland are comprised. In the rest of Ireland it is the duty of the magistrates in quarter sessions to issue directions on the subject with regard to publicans. Application was made to them at the last quarter sessions to do so, and such directions were given. We are now inquiring how far these directions have been carried out. As to beer-dealers, the directions must be given by the magistrates in petty sessions, and inquiry will be made on that point also.

ARMY—THE NATIONAL RIFLE ASSOCIATION—MARTINI-HENRY RIFLES.—QUESTION.

General SHUTE asked the Secretary of State for War, Whether it is the intention of the Government to accede to the application of "The National Rifle Association" for Martini-Henry rifles, for the first stage of the Queen's Prize at the next Wimbledon meeting, with a view to thoroughly testing the alleged defects in that arm?

Lord EUSTACE CECIL: There is no intention, Sir, of making any additional issue of Martini-Henry rifles to the National Rifle Association for the purpose spoken of in my hon. and gallant Friend's Question. Last year 120 Martini-Henry rifles were issued for distant shooting, and it is proposed to issue the same quantity this year. The alleged defects of the arm have been very recently tested by no fewer than 16 regiments and battalions in different parts of the United Kingdom, and the reports of those regiments being satisfactory, they were considered at a full conference of officers on the 28th of January last, when the alterations proposed, having received the approval of my right hon. Friend the Secretary of State for War, were adopted both for land and sea service.

POLICE SUPERANNUATION—A COMMITTEE.—QUESTION.

General SHUTE asked the Under Secretary of State for the Home Department, Whether it is proposed to re-appoint a Committee early this Session (as recommended) on the subject of Police Superannuation; and, whether he is aware that the continued unsettled state of this question has occasioned in many counties a difficulty in obtaining men for the police force?

Sir HENRY SELWIN-IBBETSON, in reply, said, it was his intention to re-appoint the Committee alluded to by his hon. and gallant Friend; and, indeed, he would have done so earlier but that certain Returns had not as yet been presented to the House. He believed the evidence already taken showed that enlistment into the police was very much prejudiced by the present uncertain state of their condition.

NAVY—ANCHORS AND CABLES (THE "VICTORIA AND ALBERT").

QUESTION.

Captain PIM asked the First Lord of the Admiralty, Whether, taking into consideration the many casualties which have resulted to Her Majesty's ships, either from default or through insufficiency of Navy cables, the "Admiralty and Rodger" anchors, he has satisfied himself as to the trustworthy character and thorough efficiency of the ground-tackle provided for the use of the Royal yacht "Victoria and Albert," now refitting, and about to proceed to sea with Her Majesty on board?

Mr. HUNT: Sir, I have had a report from Portsmouth that the ground-tackle of the Royal yacht is in a satisfactory state. The cables were surveyed in December, 1875, and the anchors went through the fire proof a year ago.

NAVY — TORPEDOES — CAPTAIN HARVEY.—QUESTION.

In reply to Captain G. E. PRICE,

MR. HUNT said, that Captain Harvey received £1,000 from the Admiralty in recognition of the intelligence and ability he had displayed in bringing his invention into an efficient state. The amount had no reference to Captain Harvey's expenditure in the matter. His invention has been adopted in the Service; but the Admiralty did not obtain any exclusive right to the invention. Captain Harvey's torpedoes had been manufactured in this country for foreign Governments, and it was not intended to award any further sum to him. £15,000 had been paid by the Government to the inventor of the fish torpedo for the secret of his invention and the sole right of manufacturing it in this country.

THE ROYAL TITLES BILL.

NOTICE OF MOTION.

MR. FAWCETT gave Notice that in the event of the Royal Titles Bill obtaining the assent of Parliament, he would move an humble Address to Her Majesty praying Her not to assume any addition to her title in respect of India other than the title of Queen.

EGYPT—MR. CAVE'S MISSION.

NOTICE OF QUESTION.

THE MARQUESS OF HARTINGTON gave Notice that as the Report of Mr. Cave was not to be presented to Parliament, he would on Monday ask the Prime Minister to fix a day for taking the Vote for the expense of Mr. Cave's mission, and to undertake that it should be brought on at a convenient hour.

CONSOLIDATED FUND (£10,029,550 5*s*. 1*d*.) BILL.

(*Mr. Raikes, Mr. Chancellor of the Exchequer, Mr. William Henry Smith.*)

THIRD READING.

Order for Third Reading read.

Motion made, and Question proposed, "That the Bill be now read the third time."—(*Mr. William Henry Smith.*)

MR. DILLWYN referred to the Order of the House of last Session, which directed that Supply should stand as the First Order on Friday, instead of which the Money Bill, whose third reading had just been moved by the hon. Gentleman the Secretary to the Treasury, had been put down as the First Order. If this were allowed, it would be an interference with the privileges of private Members, and hereafter be referred to as a precedent. He thought it his duty to protest against such a proceeding, as they ought all to endeavour to prevent the violation of the Rules. He took a decided objection to it in the present instance, and wished to ask the right hon. Gentleman in the Chair whether it was proper to do so?

MR. SPEAKER: The hon. Member for Swansea has correctly stated the substance of the Standing Order by which Supply is the First Order of the Day on Fridays; but I am bound to say that the hon. Gentleman the Secretary to the Treasury consulted me as to the propriety of taking this Bill as the First Order at half past 4 o'clock to-day, and that I informed the hon. Gentleman that there were occasions on which such a course had been taken, especially in the case of Money Bills which are urgently required, and which are not calculated to interfere with the progress of Public Business.

LORD ROBERT MONTAGU said, that he had no doubt the House, out of favour to the Government, would consent to take the Bill first, though that was not its proper place, according to the Rules which governed the conduct of Public Business in that House. He did not in any way wish to interfere with the progress of Public Business; but if that course were adopted, he was anxious it should not be afterwards drawn into a precedent. When the Rule was passed that Supply should be the First Order, Lord Palmerston said he would pledge his word that Supply should be always taken first on Fridays, and the present Prime Minister also said that he would pledge his word. Not very long ago the House was told that the word and the pledge of a Prime Minister were better than an Act of Parliament, but in this case they had been forgotten. There might be mysterious reasons why the Bill should be taken before Supply; there might be grave political considerations; perhaps the Russian advance towards our Indian frontier might have some connection with it——

Mr. SPEAKER reminded the noble Lord that the question before the House was a point of Order.

Lord ROBERT MONTAGU said, he should not propose that the Bill be postponed until after Supply, but the case must not be drawn into a precedent, and he should advise the hon. Member for Swansea to be satisfied with a statement from the Prime Minister that that should not be so.

The CHANCELLOR of the EXCHEQUER said, his noble Friend had thrown away a great deal of fervid eloquence upon very insufficient grounds. There was not the slightest intention to depart from the Rule of the House that Supply should be taken first on Fridays; but there had been occasions, and occasions might recur, when it was of the highest importance that these Money Bills should pass at a particular time. Last night his hon. Friend the Secretary to the Treasury stated that it would be desirable and important to get this Bill read a third time early this afternoon, in order that it might be sent to the House of Lords before the close of their Lordships' sitting, and the House accordingly, without any dissentient voice, agreed to the Bill being placed in its present position on the Paper. There was no reason to suppose that the Bill would cause more than a moment's interruption to the ordinary course of business. This would not be drawn into a precedent in regard to Bills of a different character; but he might remark that the Consolidated Fund Bill had on former occasions been treated in this way. The last occasion, he believed, was in March, 1873. This Bill had been placed before Supply by the express order of the House made that morning, at an hour when the House was so full that objection might have been raised to the proposal.

Mr. ANDERSON said, it was unfortunate that the Notice for taking the third reading of the Bill had not been given at the time when Notices were usually given, instead of at a late hour, when comparatively few Members would be aware of it. The course pursued was a mischievous one, as it interfered with the freedom of action of hon. Members, and he hoped it would not be made a precedent of.

Mr. W. H. SMITH said, he had acted in the matter in accordance with the advice of the Speaker, and of the highest authorities in the House. He was informed that he could not give the Notice yesterday at the usual time for giving Notices; but that the proper time to ask the House to read the Bill a third time to-day was after it had passed the previous stage last evening.

Sir ANDREW LUSK urged the House to read the Bill without further discussion. The hon. Gentleman the Secretary to the Treasury had acted fairly in the matter from the beginning, and ought to have the credit of doing his work well. The Question had been put to the House on the previous evening, that the Bill should be taken at half past 4 o'clock, and it was agreed to.

Mr. NEWDEGATE considered the alteration of the order of Business at an early hour of the morning when the House was to meet again in the afternoon was very objectionable; but as the House had, in this instance, agreed to take the Bill first, there was no alternative but to proceed with it. The objections which had been raised would have been considerably mitigated if the House had been informed on the previous night—when the Notice was given—that the taking of the third reading of the Consolidated Fund as the First Order on Friday was an exception to the rule. That Notice had been given at a very late hour, when it was impossible for the country to know what was done; and it created a monopoly of power in the hands of hon. Members who happened to be present.

Mr. DILLWYN said, that as he did not wish to stand in the way of Public Business, he would withdraw his opposition.

Question put, and *agreed to.*

Bill read the third time, and *passed.*

EGYPT—MR. CAVE'S MISSION.

QUESTIONS.

The Marquess of HARTINGTON said, it had occurred to him, since giving Notice of a Question on this subject, which he had intended to ask the right hon. Gentleman at the head of the Government on Monday next, that it might be as well to put the Question at once. Of course, he did not press the Government to give him any answer if they were not prepared to do so; but if, as was not improbable, the right hon. Gentleman was disposed to give the information he asked for immediately, it would probably be for the convenience of the House. The House would have observed that, in consequence of the answer given by the right hon. Gentleman yesterday, several Notices affecting the publication of Mr. Cave's mission in Egypt had been placed on the Paper. He was under the impression that the most regular and convenient course would be to take the discussion, or at any rate a preliminary discussion, upon the Vote for the expenses of Mr. Cave's mission; and if the Government were able now to say they would fix an early day for taking the discussion, it would be useful for the guidance of hon. Members who were interested in the subject as to the time of bringing on their Motions. The right hon. Gentleman had probably observed that a Motion on the subject of Egyptian finance was on the Notice Paper for this evening, but that would not, perhaps, be a very convenient opportunity for discussing so important a question.

Mr. DISRAELI said, it was impossible for him to answer precisely as to the day on which the question could be discussed, because he had to consider the whole course of Business, and had not yet had an opportunity of doing so. Probably on Monday he should be able to make a more precise statement.

Mr. LOWE asked Mr. Chancellor of the Exchequer, whether the expenses of Mr. Cave's mission would be included in a Supplementary Estimate, or left over till next year? It seemed to him that those expenses formed part of the service of the present year, and ought, therefore, to be included in a Supplementary Estimate, and not left over till next year, with which they had nothing whatever to do.

Mr. W. H. SMITH feared that it would be impossible to include the Vote in a Supplementary Estimate. Before it was prepared the time would expire within which it could be got into an Appropriation Bill, and therefore it must stand as an Estimate for next year.

SUPPLY—COMMITTEE.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

ACTS OF PARLIAMENT—REPORT OF SELECT COMMITTEE.—RESOLUTION.

Mr. GREGORY, in rising to call attention to the Report of the Select Committee upon Acts of Parliament; and to move "That, in the opinion of this House, effect should be given to the recommendations of that Committee," said, that the matter had attracted much attention last Session, and a Committee was appointed also to investigate it. The Chairman of the Committee was the right hon. Gentleman the Member for the University of Cambridge (Mr. Walpole), and it examined, among other witnesses, the Master of the Rolls, Mr. Justice Archibald, and some distinguished members of the Bar. After examining those witnesses, it reported that the defects which existed in the present system of legislation were principally included under four heads—namely, (1), the mode in which Bills were prepared; (2), the introduction of inconsistent and ill-considered Amendments; (3), the want of consolidation of statutes on similar subjects; and (4), the absence of any method of classification of public Acts of Parliament. As regarded Government Bills, they had for several years been drawn up by a gentleman appointed for that purpose—Sir Henry Thring—to whom the House was under great obligations for the care with which he executed his work; but there were certain defects which were beyond his control, and for which, it was to be hoped, Parliament would be able to supply some remedy. The result of the revision of the statute law had also been a great improvement, for the Committee, which had now been engaged for a considerable period upon that work, and revised the statute law down to the present reign, had included it all in some six or seven volumes, and when that revision was completed down to 1868, the statute law would be comprised in about 15 or 16 volumes. Still much remained to be done, particularly with reference to two principal defects in the present system, one of which was referential legislation; the other, want of consolidation.

Strong evidence was given upon the first of these points by the Master of the Rolls and Mr. Justice Archibald, who referred to the case of the Licensing Acts, which had come before Mr. Justice Blackburn, who said they were pernicious, complicated, and contradictory, and spoke of the difficulty of coming to anything like a satisfactory conclusion respecting them. The Master of the Rolls himself said of the Church Buildings Acts that they were like a Chinese puzzle. The Committee found that this practice of referential legislation was somewhat increasing, and, without troubling the House with many instances which he could call, he would, as an example, refer to two Acts of last Session, to the Peace Preservation (Ireland) Act, than which it would be difficult to find a piece of more complicated legislation. Another example was that of the Explosive Substances Act, the operation of which depended on certain clauses of two other Acts. But if the previous Acts were repealed, he apprehended those powers of the Explosive Substances Act which depended upon them would be gone. For his own part, he could not conceive any difficulty which could have prevented all the powers required from being directly embodied in the Explosive Substances Act, and that would have been a far better course than to refer to the clauses of other Acts. With regard to the question of consolidation, he had said that he hoped the statute law might be reduced to some 16 volumes; but that would bring it down only to 1868. When it was considered that Parliament legislated at the rate of something like 90 to 100 Acts of Parliament on an average every Session, it would be readily conceived how cumbersome and confusing that annual accumulation of legislation must necessarily become, and how great must be the difficulty of reference to the numerous Acts, and of their interpretation, not only by ordinary people, but even by the Judges themselves. Strong evidence bearing upon the benefit of consolidation had been given by Mr. Fitzjames Stephen, who pointed out the fact that the penal code in India had been reduced from 300 Acts to one of something like 100 clauses; but in the consideration of this part of the subject, a question arose as to how Consolidation Bills were to be treated by Parliament, whether they were to be accepted altogether, or to go through the ordeal to which other Bills were subjected in either House. It could hardly be expected that all the Consolidation Bills on important subjects should be accepted on trust, and the question was whether they could be passed in any other manner. Mr. Fitzjames Stephen, whose efforts at consolidation had been attended with so much success in India, told them that great facilities were afforded by the system pursued by the Indian Council of not dropping Bills, but continuing them from one sitting to another, the Bills being taken up from the stage of adjournment. He (Mr. Gregory) would venture to suggest, with respect to certain Consolidation Bills, that some alteration should be made in the Standing Orders, it might be of both Houses of Parliament, so as to enable those Bills to be taken up in one Session at the stage in which they were left in the last. In the meantime, experts and others might have opportunities of considering them further, and of suggesting Amendments. It should be remembered that a good deal of the language of statutes was now out of date; some of the provisions might require alteration so as to bring them into conformity with modern ideas and requirements; and that might lead to a good deal of discussion. There was another source of difficulty which had pressed strongly on his own mind, and that was the way in which Amendments were introduced in the passage of Bills through Parliament. Hon. Members knew how difficult it was to comprehend and deal with Amendments which were on the Paper; but the difficulty was greatly increased when Amendments not on the Paper were proposed on the spur of the moment. Several striking instances of this were brought before the Committee, and a case had recently arisen under the Irish Church Act by which a construction was given to one portion of it entirely inconsistent with the Act itself, and with the views of those by whom it was promoted. Amongst the other recommendations, the Committee suggested that when long and intricate Bills were introduced, a short statement or breviat should be attached, from which hon. Members might learn the nature of the proposed measure without wading through its clauses. He thought such a statement would be a great convenience, and it might be drawn without difficulty.

The Committee also suggested there should be a classification of Acts of Parliament into various subjects. For instance, all the Acts relating to licensing should be placed in one group, so that any one in that trade who wished to refer to the laws regulating it, could do so without having a vast number of statutes to go through. The Committee also recommended, though as a matter of minor importance, that Acts of Parliament should be described by the years in which they were passed, instead of by the years of the reign. They further thought that time should be given for considering Amendments in Bills passing through the House after being put on the Paper. They also recommended that consolidation should be proceeded with on a regular system, facilities being given for passing Consolidation Bills by taking them up at the stage in which they had been left in the previous Session. These were the principal recommendations of the Committee. They were all simple and practical proposals, and he hoped the House would show its appreciation of the pains bestowed upon the subject by the Committee, and join him in the declaration that their recommendations should be carried into effect as quickly as possible. The hon. Member concluded by moving the Resolution.

MR. A. MILLS seconded the Motion.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, effect should be given to the recommendations of the Select Committee of 1875 upon Acts of Parliament,"—(*Mr. Gregory,*)

—instead thereof.

MR. EVELYN ASHLEY said, that having been a member of the Committee referred to, he begged to support the Motion. The law was a perfect tangle on many subjects, and required reference to a great number of statutes for its elucidation. The Committee made several valuable suggestions, but he would only refer to one, that of consolidation. It was once said that the secret of political organization was "Register, register, register!" but for legislative measures the motto of the House ought to be "Consolidate, consolidate, consolidate!" It was only the other day that the Lord Chief Justice of England told the citizens of London that when statutes were brought before the bench for interpretation a "convulsive shudder" ran through all the Judges. It was not creditable to a great country like this that our Statute Book should give convulsive shudders to persons skilled in the law, and worse than that to those who were not skilled in the law; but consolidation would remove half the evils complained of. One reason why so little had been done in that direction was want of time, and if some Resolution or Standing Order was agreed to, under which Consolidation Acts might be allowed to be taken up in the next Session at the stage they had reached in the previous one, greater progress would be made. The Committee found that there were at least 100 groups of subjects urgently requiring consolidation, and a Government worthy of the name would immediately set about the work. Of course, it must be done piecemeal; but if the Government would at once consolidate the Acts relating, say to highways, to Poor Law administration, or the lunacy laws, all of which were of vital importance to the interests of daily life, they would confer a great blessing upon the country. The remainder might be proceeded with as time and circumstances would permit. In order to carry out the suggestion, a permanent department should be instituted to undertake the consolidation of Acts of Parliament. Private Members could not command sufficient confidence to undertake such work with success; but there was no reason why Consolidation Bills presented to Parliament by a permanent and responsible department should not be accepted with almost as much trust as the annual Bills the House had lately had before them for the revision of the statutes.

MR. DODSON thought the hon. Member for East Sussex had done good service in calling attention to the Report of the Committee upon the subject, but trusted that neither the House nor the Government would be induced to accede to the Motion to give effect to the recommendations of that Committee as a whole. The recommendations were much more numerous than the hon. Member had led the House to suppose, and his Resolution, if carried, would involve the carrying out of the whole of them. Some of them could hardly be called recommendations, being more in the nature of suggestions; and on others it seemed as if the Committee had not known its own mind. The Committee had, however, pronounced a decided opinion upon one subject. It disapproved of the appointment of a Board to superintend and revise legislation passing through that House, because it would interfere with the Minister who had charge of particular Bills, impair the responsibility of the draftsman, and because it was not thought right that the House should delegate its functions to such a body. The Committee made recommendations as to the advantage of passing an Act to define terms which were of frequent use in legislation; as to simplifying the proceedings in dealing with Bills at certain stages; as to citing Acts of Parliament by *Anno Domini*, instead of reference to the reigns of different Sovereigns; as to taking up Consolidation Bills in one Session at the stage where they were left in a previous Session; and as to other matters. He trusted that the House would not be prepared to adopt all these *en bloc*, as it would do if it adopted the Motion of the hon. Member for East Sussex. The Committee recommended the use of breviates, and they no doubt were an old institution of the House; but when? It was before the discovery of printing, and when, probably, a good many Members could not read! In those days it was the duty of Mr. Speaker to inform the House what was the subject and scope of the Bill, and he read that from a "breviate" attached to it. But supposing that were now done, it would not be an impartial statement, but really would be a short summary of the view of the Member who wished to present the Bill to the House, and it would be very apt to be tinged with a particular colour in favour of the Bill, and would at all events incur a suspicion of partiality. Another recommendation, as he had said, was that there should be a general Act defining the terms used in legislation; but the hon. and learned Attorney General would agree with him that such a definition of terms must necessarily be very limited, and it would have to be watched and guarded with extreme care, or it would land them in all sorts of difficulties; and if it were intended to be retrospective, he did not know how any Act could be so framed as not to throw our law into inextricable confusion. [Mr. GREGORY said, he had not suggested any Act for the purpose.] No; but it was in the Report of the Committee, and the Resolution proposed to give effect to the whole of its recommendations. As to model clauses they were no doubt found of great use in Private Bill legislation; but their employment in Public Bills must necessarily be limited to very few subjects, and the drafting of the Bills was now conducted more carefully than formerly, and therefore he did not anticipate that much benefit would be derived from the adoption of the suggestion. The other points were so minute and comparatively so insignificant, that the House would waste more time in considering the desirability of adopting them than would be saved if they were adopted. With regard to the suspension of Bills in one Session and taking them up in another, he regarded it as a very serious subject, and one which, without hearing stronger arguments in its favour than he had yet heard, he was not prepared to give his assent to. It had always been held to be the Prerogative of the Crown to put an end to the proceedings of Parliament by prorogation; but beyond that objection the suspension of a Bill might be used as a means of shelving in one House, instead of assuming the responsibility of passing or rejecting it, a measure which had been carefully elaborated by the other. The suggestion was not a new one, for in 1848 it was considered by a very strong Committee of the House of Commons, who reported unanimously against it. In 1869 a Bill was introduced into the House of Lords for the purpose of enabling Bills to be suspended from one Session to another. That led to a conference of one of the strongest Joint Committees of both Houses that ever was appointed, and that Committee also unanimously reported against the proposition. He trusted that the House would not again entertain the question. If any of these proposals were to be adopted, it must be only after careful discussion, which would occupy time that would be much better employed in getting on with the Merchant Shipping Bill and other important measures. Last Session there were many discussions as to matters of form, one being the Exclusion of Strangers, which was left unsettled, and at present they did not know whether the Resolution then adopted was to be held as a Sessional or adopted as a permanent

Resolution. The Prime Minister had intimated that he would bring the subject before the House, and there would doubtless be a discussion upon it. He considered, therefore, that it would be most objectionable to adopt the Resolution of his hon. Friend, which would commit them to the consideration of all the recommendations of the Committee, and would lay a heavy embargo on the time of the Session and on the patience of the Members. He hoped his hon. Friend would be satisfied with having called the attention of the House to the subject, and that he would withdraw the Motion; but if he still desired to press it, he had better defer the attempt and endeavour to obtain an early opportunity next Session rather than secure an imperfect discussion of this question at the risk of interfering with other business.

Lord FRANCIS HERVEY said, he regretted that the right hon. Gentleman, moved by a spirit of antiquarian Conservatism, had endeavoured to throw cold water on the labours of the Committee which sat last year. That Committee had given great attention and labour to the subjects referred to, and they had taken much evidence from most experienced and able witnesses. The right hon. Gentleman said that their recommendations were very numerous; but, in fact, they were very few, very simple, and very practical. The right hon. Gentleman's objection to the addition of breviates to complicated and lengthy Bills was a little too late, as last Session something of the kind was presented to the House, with the Militia Laws Consolidation Bill and the Public Health Consolidation Bill. Then he treated the recommendation of resuming the consideration of a Bill in the next Session as if it were intended to apply to all Bills; but the Committee expressly limited their recommendation to Consolidation Bills only. They recommended that side by side with the concurrent legislation of the year there should be a system of consolidation that would clear up all difficulties that might have occurred and put our statute law on an intelligible and scientific basis. The statute law was now so intricate, confused, and voluminous that there was a constant wail from Judges and counsel about the difficulty and perplexity in which it involved them. It also caused great expense to suitors, and a delay of justice. Hallam, in his *Constitutional History*, speaking of the statute law in his time, said—"We walk literally among the gins and pitfalls of the law." He hoped, therefore, that Government would give its assent—he did not say to every single recommendation of the Committee, but to the main purport of them—and thus endeavour to do something to cure the evils that existed in our present system of legislation.

Lord FREDERICK CAVENDISH said, as a Member of the Committee referred to, he could not help thinking that the most important recommendation of the Committee had been passed over *sub silentio*. A new machinery for the drafting of Government Bills had been adopted some time ago by the appointment of a Parliamentary counsel, and many of the evils in our legislation having been attributed to defects in that Department, the Committee had taken the subject into consideration, and they summed up the result in these words—"For the sake of uniformity, and also for the purpose of fixing responsibility, it is important that this system should be adhered to." It appeared, however, that the system was not quite strictly adhered to, and that—owing, no doubt, to the great pressure of business—other counsel were employed in the preparation of Government Bills. He now asked the hon. and learned Attorney General, whether the recommendation of the Committee on this point would be attended to, and whether it was the intention of the Government to make the Department of Parliamentary Counsel responsible for the drafting of all Government legislation?

Mr. E. JENKINS said, the question was one of very great importance. Our statute law was not merely a matter of form, it affected substantially the rights and liberties of the people. His opinion was, that valuable as was the Report of the Committee, their proposals were of a somewhat timid and superficial character. On first taking up the Report, he looked to see whether it contained any reference to the overburdening of the House with legislation, and offered any suggestion for relieving the House of that plethora of legislation with which it was afflicted. It had been suggested, in reference to the three nationalities into which the House was divided, that there should be Committees of Nations, to which should be referred the consideration of all Bills affecting those nations. That matter was not, however, referred to by the Committee, and yet it might have an important bearing on the subject under consideration. Again, although some of the ablest witnesses who had been examined had alluded to the relation of the House of Lords to the legislation of the country, the Committee did not recognize the fact that arrangements ought to be made for improving our legislation in concurrence with the House of Lords, and so remedying, to a certain extent, the pernicious system of dual legislation. He submitted that when a Committee omitted all reference to such important matters as these, their Report could not be considered to be a complete one, and the House ought not to be invited to take action upon it. He considered the analysis of the Report to be most illogical, the most important matter being put last. For example, the first point mentioned was "the mode in which the Bill was to be prepared and the extent to which it varies from previous statutes," whilst the fourth, and last, referred to the difficulties arising "from the absence of any better classification of Acts of Parliament." Surely the first point to be considered in reference to the consolidation of the statute law was the existing state of the law and the reasons in that existing state which interfered with the progress of new legislation. Yet the Committee put the cart before the horse, for the first point which they said ought to be considered was how the Bill was to be prepared, whereas to do that properly they should first consider the existing state of the law in relation to the persons to be affected by the Bill. It was admitted by draftsmen of the greatest experience that it was almost impossible to know what was the present state of the law. First of all, then, a register of the existing law should be provided, so that those who had to draft Bills might have something to guide them. The proposition to accompany Bills with breviates was, in his opinion, impracticable, and if it could be carried out would be found to be a most expensive and tedious process. Practically, the effect of a remedy which would naturally suggest itself for these evils would be that at the beginning of each Session there should be presented a register of the law as it stood in the form of one great statute, so as to enable the draftsmen and Legislature properly to understand the condition of things with regard to which they were legislating, and that all alterations or additions in the existing law should be introduced in consistent language and in uniform shape as Amendments to this great national statute. They could not properly discuss the subject until some joint Commission of the two Houses had been appointed to undertake an inquiry into it.

THE ATTORNEY GENERAL said, he thought the House must be deeply indebted to the hon. Gentleman who had drawn their attention to this subject, and also for many of the suggestions thrown out. He would at once admit that the statute law was open to great improvement; but before anything could be done in that direction, it seemed to him desirable that it should be brought within reasonable compass; that each particular subject should be dealt with by one statute only; and that statutes should be so framed as to be easily understood, and to contain within themselves the necessary elements for their construction. At present it was sometimes impossible to understand a statute without referring to a dozen others—a circumstance which not only caused great labour to Judges and others, but involved the risk of erroneous interpretations; and entailed on suitors a vast amount of expense; and some consolidation of the law was, therefore, clearly desirable. He thought it was the main object to which they ought to give their attention, for if the law were consolidated in a satisfactory way, the statute law would be reduced to a reasonable compass, and they would get rid of the great evil which arose from legislation by reference, a system which produced the greatest possible embarrassment. The only advantages of it appeared to be that it saved the draftsman some trouble and curtailed the length of the statutes. Now, he cared nothing for the trouble of the draftsman, and if statutes could be made clearer by being lengthened he did not see why they should not be. But while there was a good deal to say in favour of consolidation he did not think Parliament would ever entertain the other recommendation of the Committee that Bills should be passed on from one Session to another, and taken up at the point where they had been left. The House of Commons, he believed, would never consent to accept Bills on trust, but would insist upon thoroughly examining them when brought before it. It had been objected that if the statutes were generally consolidated, they would become too long; but that, he thought, would be a minor evil compared with the immense trouble of reference. He was aware that the recommendation of the Committee was confined to Consolidation Bills; but in consolidating the law it would be necessary sometimes to alter phraseology, and the question might arise whether in so doing they did not alter provisions as well. Certainly the recommendation was one which ought not to be adopted without serious and earnest consideration. Many of the recommendations were very valuable, and would be carefully considered by the Government; but he hoped the hon. Gentleman would not call upon them to give a decided expression of opinion that effect should be given to the whole of them. He did not think it would be wise and prudent to give effect to all the recommendations; but with regard to the principal ones, and especially with regard to consolidation, they were already under the serious consideration of the Government, and no doubt they would be carried into effect as soon as it was possible to do so. In answer to the question of the noble Lord the Member for the West Riding (Lord Frederick Cavendish), he might say with regard to the system of Parliamentary drafting, which was inaugurated by the Treasury Minute of the 12th of February, 1869, it was an excellent system, no doubt, and one which was being actually carried out as far as the state of Public Business would permit.

Mr. GREGORY said, he was quite satisfied with the explanation, and would not press the matter further.

Question, "That the words proposed to be left out stand part of the Question," put, and *agreed to.*

PARLIAMENT—THE LADIES' GALLERY, HOUSE OF COMMONS.

OBSERVATIONS.

Mr. Serjeant SHERLOCK, who had a Notice upon the Paper to the effect, "That it is expedient to remove the grating in front of the ladies' gallery in this House," which the Forms of the House precluded him from moving, said, he was once asked by an educated and intelligent foreigner how it was that whilst ladies were admitted to hear the debates of that House it was deemed necessary to enclose them in a cage, and he was unable to give any reply that would be either satisfactory to himself or consistent with the good taste and good sense of the House. The existence of the grating in question had been discussed in that House, in the newspapers, out-of-doors, and had been a source of controversy and contention amongst hon. Members themselves. Arguments had been urged against it, and the most weighty arguments had been directed against the admission of ladies at all to hear the debates. It must, however, be recollected that the presence of ladies was an acknowledged institution of that House. They had made regulations for the admission of ladies, and the plans of the architect contemplated their presence. At present the first thing they did after prayers was the balloting for admissions to the limited space which the Gallery afforded, the architectural arrangements of the House not giving sufficient accommodation to the Members of the House, the representatives of the Press, and the ladies. It was said that if ladies were admitted to the full view of the House in the manner he proposed, their presence might have an unfavourable effect upon the speeches of hon. Members. It was urged that hon. Gentlemen would become nervous or be induced to address the House at too considerable length; but they were all aware, at the present time, that every hon. Member who stood up to speak knew and felt that ladies were present, and yet he did not think any hon. Gentleman was ever disconcerted from that cause, or took up an unnecessary length of time in speaking, because ladies were listening to what was said. Therefore, when they were told that hon. Members, for the purpose of attracting attention, spoke at great length, it must be recollected there was precisely the same inducements now; and when they were told that certain hon. Members felt alarmed, and became nervous, it should be understood that there were influences at the present moment more likely to alarm them. The Strangers' Gallery contained a large number of persons who came there to listen, and sometimes to criticize, and there were spaces below the Gallery which, whenever any great or technical question arose, were filled by persons interested in the subject. Again, they had places devoted to Members of the other branch of the Legislature, which places were filled whenever any subject arose affecting the dignity or jurisdiction of the other House, and yet it exercised no effect upon the speeches of hon. Gentlemen. Then they had the members of the Press listening to them; and if they could realize what might be the possible danger arising from their presence, he thought it would exercise more influence upon hon. Members than any danger arising from the presence of ladies. He was far from saying they would be misreported under any circumstances, as he did not think any hon. Member who said anything worth listening to would go unreported, though he thought they did incur, he would not say the hostility, but the displeasure, of any gentlemen of the Press; but they might be subjected to, what, to them, would be the greatest infliction possible—that of having their speeches reported *verbatim et literatim.* [*Laughter.*] The hon. Member for Cambridge University (Mr. Beresford Hope) laughed, but he could assure the hon. Gentleman he was not laughing at him at all. He thought that would be inflicting upon them an even greater punishment than would result from misrepresentation, and yet they went on and talked without any regard to that great danger which was impending over them. All these were influences which would exercise much more effect in alarming hon. Members than the mere removal of the grating before the Ladies' Gallery. Objections of various descriptions had been raised, some of them being of an architectural character. One hon. Gentleman had told him that if the grating were removed the whole roof might come down; but that was a matter, he thought, which might be left to their architects, and to them, also, might be left that other objection, that they might fall over. It was said again that the ladies desired that the grating should continue. If he knew that to be their wish, he should not have brought forward the Motion; but the ladies who came to the Gallery were a migratory body, and it was not easy to ascertain their wishes on the subject. Most probably they were divided. As to the inconvenience which it was sometimes suggested would be experienced both by the ladies and hon. Members of the House in regard to matters of the toilette, he thought there need be no apprehension. The ladies would not be interfered with, and in wearing what they thought proper, he was sure their choice would always be consonant with good taste. In a week after the grating was gone, the ladies might come and go, and in a week or two the attention of hon. Members would entirely cease being attracted to that Gallery. ["No, no!"] He meant that he was satisfied that no inconvenience would arise from the presence of the ladies attracting hon. Members' attention. He had tested the subject by the practice of the House of Lords, and had ascertained that no inconvenience whatever had resulted from the presence of the Peeresses in that House. The hon. Member for Cambridge University stated that the difference between the two Houses in their practice on this subject was, that the Peeresses sat in the other House as a matter of privilege; while, in the Commons, they did so as a matter of favour. He differed from the hon. Member in that view; but assuming that the hon. Member was correct, the inconvenience at any time felt would not be lessened by their presence being a matter of right. But other ladies were admitted below the Bar of the other House by favour of the Usher of the Black Rod, and he had seen noble Lords, after speaking, come down to the Bar and speak to their lady friends there without any inconvenience whatever resulting. He was not, however, asking for any such privilege. They did not find that the Bar or the Bench suffered inconvenience from the presence of ladies in the Courts, nor that actors on the stage nor ministers in the pulpit were in any way affected by that cause. In the middle of the last century ladies were admitted to the body of the House of Commons; and though, owing to the particular political excitement of the time, they, with all other strangers, were necessarily excluded, yet if they went back to old usages, they would find ample ground for justifying his Motion. He found in an authoritative work on the Law and Practices of Parliament, to which they were in the habit of referring, this rule laid down—

> "By the ancient custom of Parliament and the Orders of both Houses, strangers are not to be admitted while the Houses are sitting," and on the 18th of April, 1788, it was ordered by the Lords "That for the future no person shall be in any part of the House during the sitting of the House except Lords of Parliament, Peers of the United Kingdom not being Members of the House of Commons, the heirs apparent of such Peers or of Peeresses of the United Kingdom in their own right, and such other persons as attend that House as assistants."

That did not include, therefore, the privilege of Peeresses. He also found this account with regard to the House of Commons:—

> "On the 2nd of February, 1788, strangers were ordered to withdraw. This order was enforced against the gentlemen, but the ladies, who were present in unusual numbers, were permitted to remain. Governor Johnson, however, remonstrated, and they were also directed to withdraw; but they showed no disposition to obey, and business was interrupted for nearly two hours before their exclusion was accomplished. Amongst the number were the Duchess of Devonshire and Lady Ogle. This ended in the withdrawal of the privilege which they had long enjoyed of being present at the debates of the House of Commons."

He, however, found that on the 1st of December, 1761, the interest excited by the debate in the Commons on the renewal of the Prussian Treaties was so great that Lord Royston, writing to Lord Hardwicke, said—

> "The House was hot and crowded; as full of ladies as the House of Lords when the King comes to make a speech, and Members were standing about half-way up the floor."

In the time of John Wilkes the ladies were excluded with other strangers. Years elapsed before the ladies were readmitted; but ultimately they again obtained the *entrée* to the House, and in 1836, when it was intended to rebuild the House, the matter was referred to a Select Committee, and they reported in favour of giving up a part of the Strangers' Gallery for the accommodation of the ladies. A grating was proposed, and the introduction of tickets not transferable, with other restrictions, which had since been in great degree relinquished without entailing any public or individual inconvenience. Now a suggestion, which he considered extremely practical, had been made in a letter he had received from a lady on the subject, which he would communicate to the House. There were three divisions of the Ladies' Gallery. That to the left was devoted to the Speaker, and with it it was not proposed to interfere. With respect to the other portions of the gallery, in one of these ladies who desired to retain their seclusion might still have it, but the remaining portion he would propose to assign to those who were anxious to have a more open and unrestricted view of the House. Were that done, he believed that, after a time, the division of the gallery from which the grating was removed would be found so much more agreeable that there would be a general disposition to remove the grating altogether along the whole front of the Gallery. There was no Legislative Body in the world which shut out the ladies so rigidly as the House of Commons. From Italy to America all persons who desired to listen to the debates in the Legislative Assemblies were admitted with perfect freedom. It was only in Jewish synagogues and conventual institutions that there were gratings, and he saw no reason why the House of Commons should follow such a precedent.

Mr. FORSYTH said, he did not think that the constitutional rights and privileges of the House would be endangered by taking away the lattice from the galleries where the ladies sat. The argument of his hon. and learned Friend opposite (Mr. Serjeant Sherlock), if carried to its full extent, would prove that ladies ought to sit in the House of Commons as they did in former times. He, however, was favourable to the removal of the grating in front of the Ladies' Gallery, and he was certain that if the question of placing it there were now raised for the first time, not a single Member would vote in favour of such a course being adopted. It was, he thought, in obedience to a stupid Conservatism that the grating was kept up, simply because it had been placed there. [*Laughter.*] He would admit there was such a thing. The House might be compared to a sort of Zoological Gardens, and in a cage there were kept a number of fair and beautiful animals to approach whom would be fatal, and who were considered too dangerous to be looked upon. What possible reason could be assigned for keeping up that objectionable lattice-work, which would lead a Mahomedan visitor to the House to believe that he was in his own country, unless they found a general wish for it among the ladies themselves? He saw no ground for preventing the ladies from conveniently seeing hon. Members who were making speeches, and surely hon. Members themselves were not more susceptible than Members of the House of Lords. He had never heard of a noble Lord breaking down in his speech because his wife or the object of his affections happened to be present in the Peeresses' Gallery. The two grounds upon which he supported the proposal of the hon. and learned Gentleman were—first, that it would conduce to the comfort of the occupants of the Ladies' Gallery; and, secondly, that it would add to the grace and ornament of the House.

MR. BERESFORD HOPE said, he would remind the House that seven years ago, when the hon. Member for Kerry (Mr. Herbert) first brought the matter before the House of Commons, he did not venture to divide the House upon it after Mr. Layard, who was then First Commissioner of Works, had read a letter from a lady who was a frequent visitor to the Gallery, which proved that the ladies preferred that things should remain as they were. Nothing had since occurred from which it could be inferred that things were now different except so far as the long silence observed by the innovators demonstrated how conscious they were of the weakness of their cause. Their own tactics showed that the subject was not one that had grown very rapidly either in public opinion or in that of the ladies themselves. The matter had been dragging on since 1869 down to the present time without hon. Members being able to get up any steam in favour of their suggestion, and he thought the hon. and learned Serjeant would not now have brought it forward unless impelled to do so by that instinctive gallantry under which the wisest of men were not proof against occult influence such as might radiate from behind the grating. The hon. and learned Gentleman had gone deeply into the archæological part of the question, but he might have reminded him, when he told them of ladies 100 years ago crowding the floor of the House, that many deviations from what was now considered Parliamentary rules were winked at 100 years ago could not now be treated lightly, and that many irregularities that were permitted then would not be tolerated in the present day. Would his hon. and learned Friend like Election Petitions now to be tried by Committees of the Whole House, and Committees which had dined as Members used there to dine? Reference had been made to the usage of the House of Lords in the matter; but the Peers had several other practices which did not prevail in the lower House. They had cross benches for Peers who were not sure of their politics to sit upon, and they allowed their messengers to carry messages to Peers all through the House; but in this House Members sacrificed their convenience to their dignity, and did not admit any messenger within the Bar. All those things might be discussed with advantage before the House troubled itself with the grating grievance. It was not unimportant in viewing this question to take into consideration the hours during which the House sat. The Lords, as a rule, sat for a very short time each evening, so that the ladies could come down in morning dress. The House of Commons, on the other hand, met at 4 o'clock and sat until past midnight, so that if the screen were to be taken away, it would necessitate the ladies who chose the latter part of the sitting coming down in evening costume. If the grating were removed, this question of morning or evening dress would become a prominent one, much to the detriment of that sensible portion of their lady visitors who come to listen and not to be looked at. True it was that Members of Parliament had emancipated themselves from the old-fashioned ceremonial of dress. In the last century the Prime Minister used to come down in his Star and Garter, and evening dress was the rule of the House, while he might remind the hon. and learned Serjeant that a countryman of his, a distinguished Member of the Irish House of Commons, was known as "Tottenham in his boots," because on one occasion, there being a very close Division, that Gentleman had committed the enormity of walking into the House in his boots. Had the hon. and learned Gentlemen who had spoken in favour of the proposal produced any letters on the subject from ladies pleading for the removal of the grating, he should have thought that the agitators had gone some way towards making out their case, but they had done nothing of the kind. His own experience was, that the ladies did not desire the grating to be removed, and before he could give his assent to the suggestion there must be a much stronger and sterner demand for the change on the part of those whom it chiefly concerned. If the proposal were adopted it would only destroy an institution which was very pleasant and had worked out its own conventional law.

Mr. LOCKE said, the subject was discussed in 1869, when only one lady gave her opinion upon the subject, and it was to the effect that no alteration should be made in the gallery. He presumed that the lady represented the general body of opinion among those who frequented the gallery, and he was therefore opposed to the removal of the lattice.

Mr. OSBORNE MORGAN could not say much for the gallantry of the hon. and learned Member for Marylebone (Mr. Forsyth) or the hon. and learned Member for the University of Cambridge (Mr. Beresford Hope). The former spoke of the ladies as beautiful animals, while the latter referred to them as things to be winked at.

Mr. BERESFORD HOPE explained that he did not say that the ladies were things to be winked at, but that irregularities might a long time ago have been winked at or overlooked which would not be tolerated now.

Mr. OSBORNE MORGAN thought the House ought to get rid of this piece of prudery. If those who were in favour of the grating desired it for the protection of the ladies they paid but a poor compliment to the House; while if, on the contrary, they thought it necessary for the protection of the House, that was but a poor compliment to the ladies. It was very rarely indeed, even in postprandial hours, that anything was said in that House which would raise a blush upon the most susceptible cheek, and if the argument to which he was referring were pushed to its logical conclusion, it would involve the exclusion of ladies altogether. If there were any danger of unseemly discussion or altercation, the presence of ladies would act as a check upon it, just as in the days of contested elections when ladies were placed in front they reduced the crowds to comparative quiet. Then was the grating necessary for the protection of the House itself? He saw the other day in a newspaper that the Members of that House averaged the sober age of 55 years. Surely at that age they ought not to be liable to such susceptibilities. The House of Commons was the only Assembly in the world in which it was found necessary to shut up the ladies in the way they did. In Italy the most prominent place in the Chamber of Deputies was given to the ladies, and in the House of Lords they also occupied a very prominent place. It was to Mahomedan countries that they must go for a precedent for the Gallery of the House of Commons. He protested against placing the ladies in a cage where, except in the front seat, they could neither see, hear, nor breathe.

Mr. GREENE said, the country would think the House of Commons had very little to do when it wasted time debating a question of this kind. He was almost ashamed of being a Member of the House which occupied its time in discussing this matter.

Sir GEORGE BOWYER said, the ventilation of the Ladies' Gallery was exceedingly bad owing to the obstruction caused by the grating. He would suggest that the grating should be entirely removed, and that in its place there should be a *loge grille* with light shutters extending half way up the opening, so that in any case ventilation would not be impeded, and the ladies might have them either open or shut at pleasure.

Sir PATRICK O'BRIEN said, that when the subject was brought before the House in 1869 by the hon. Member for Kerry, the principle was then put forward that the accommodation in the Ladies' Gallery was grossly inadequate for the purpose for which it was intended. Upon that occasion the accuracy of that statement was admitted, but since that time considerable changes had been made in the gallery, and it was now a very different place from what it had been then. At that time it was considered that the question was not one for hon. Members of this House to decide. It was for the consideration of the ladies themselves, and he recollected that on the occasion referred to, so strong were the statements made by those hon. Members acquainted with the circumstances of the case, that his hon. Friend who had placed the Motion before the House, declined to go a division, the fact being, that bad as the accommodation was, ladies who were consulted upon the point, declined to assent to any change which would enable them to be seen by the whole House. That view, he believed, still prevailed among those ladies who visited the gallery. He believed that if they were consulted not 10 out of 100 would consent to a change being made. In fact, they did not want the gallery made like a box at a theatre. The House ought to consider that the gallery was made for the accommodation of the ladies, and therefore their wishes should be consulted on the subject of its arrangements; and if that consideration prevailed, they would not remove the grating.

SIR WILLIAM FRASER said, that having visited the Gallery just now, he found it was very difficult to hear and absolutely impossible to see from the back seats, and he would suggest that the three rows of seats should be raised so that their occupants could see into the House; and if the ventilation were made to go through the cornice, the gallery would be by no means an uncomfortable place. As regarded the dimensions of the seats, he found that in 1858 the present Vice Chancellor Malins said—"He hoped that before hon. Gentlemen expressed any opinion upon the subject they would walk up to the Ladies' Gallery and judge for themselves." That was at the crinoline epoch. When the First Commissioner of Works had recovered from his illness, he (Sir William Fraser) hoped he would take that advice, and that the suggestions which he had now made might be of some practical use.

MR. CALLAN thought it strange that the hon. Member opposite (Mr. Greene), who was so strongly in favour of the removal of convent gratings, should be opposed to the removal of the gratings from the Ladies' Gallery. He was strongly of opinion that if the Motion of his hon. and learned Friend had been confined to the rendering of the Ladies' Gallery more convenient and more commodious it would be unanimously supported by the House. He would therefore suggest that the hon. and learned Member should withdraw his Motion in favour of that suggested by the hon. Baronet the Member for Kidderminster.

LORD JOHN MANNERS said, he was quite sure the House would join him in expressing regret that his noble Friend the First Commissioner of Works was not present to hear and to take the part which now devolved upon him (Lord John Manners). For his own part, not being aware that the question was coming on that evening, he had not made himself acquainted with the details of the subject; but he was aware that some time ago the First Commissioner had had his attention directed to the subject. He would have the opportunity of reading the various views which had been expressed upon it, and probably next Session, if the hon. and learned Gentleman thought fit to renew his Motion, his noble Friend would be in his place to give him a more fitting answer than he (Lord John Manners) could on the present occasion. The hon. and learned Gentleman had given various reasons for the opinion he expressed that if the grating were removed the appearance of ladies need not be a cause of fear or apprehension, so far as their oratorical efforts were concerned, to any hon. Member, be he young, middle-aged, or old. He quite agreed with the hon. and learned Member, but he would ask him this question, which he commended to his serious consideration. Did it follow that the ladies would not be frightened by Members of the House of Commons? After all that had been said upon both sides, the practical consideration really was—would the removal of the grating exercise any prejudicial effect upon the attendance of those ladies who were now in the habit of going there? He thought the hon. and learned Gentleman would not say that by maintaining the grating in its present state, any single lady had been, or would be, debarred from attending. On the other hand, could it be said that if the grating were removed, no lady would be prevented from attending? He could not take upon himself to say that such would not be the result. At the outside, all the hon. and learned Gentlemen could say was that there were some ladies who wished for a change. Under these circumstances, and quite agreeing that this was a question for the comfort and convience of the ladies themselves, and that the views and wishes of hon. Members ought to be put in the background, he could not, so far as he could form an opinion, see his way to the removal of the grating.

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—CIVIL SERVICE ESTIMATES.

SUPPLY—*considered* in Committee.

(In the Committee.)

CLASS III.—LAW AND JUSTICE.

(1.) £61,586, Queen's Bench, &c. Divisions, High Court of Justice.

(2.) £92,041, Probate and Divorce Registries, High Court of Justice.

(3.) £12,284, Admiralty Registry, High Court of Justice.

(4.) £48,585, Bankruptcy Court, London.

(5.) £414,426, County Courts.

(6.) £5,414, Land Registry Office.

(7.) £14,240, Police Courts, London and Sheerness.

(8.) £433,374, Metropolitan Police.

SIR WILLIAM FRASER suggested an increase in the number of the mounted police. They were not now numerous, and in case of any tumult they would be very valuable. Upon certain occasions a few men on horseback were worth more than a large number on foot.

MR. ASSHETON CROSS said, the suggestion of the hon. and gallant Baronet would receive the consideration of the Government, who would communicate with the Chief Commissioner of Police on the subject. He agreed that the mounted police were a most useful body of men.

MR. DILLWYN asked for an explanation of the large increase in the Vote.

MR. W. H. SMITH said, the increase was due to the increase in the strength of the force and the pay of the men.

Vote *agreed to.*

(9.) £808,098 County and Borough Police, Great Britain.

MR. DILLWYN said, in this Vote the increase was £74,000 over last year. That was a great addition, for which he should like to have an explanation.

SIR HENRY SELWIN-IBBETSON said, the increase arose in a great measure from the growth of the population in many manufacturing districts, and from the rise in the rate of wages. All applications to the Home Office were scrutinized with the greatest possible care, and the Home Secretary did not believe that the efficiency of the Force could be kept up without certain increases in pay, which had been granted. The contribution from the Imperial Treasury in aid of local rates ought to be known generally throughout the country. The increase shown on the Vote was no doubt large, but it was justified by the circumstances to which he had referred.

MR. DILLWYN said, from his experience of local authorities, he believed they were disposed to be more liberal with money granted from Imperial funds than with money contributed by means of local rates; and, therefore, it was necessary to watch them a little in a matter of this kind.

MR. ASSHETON CROSS said, that at present he had no control over the amount of the pay or the number of the police. He was not making any complaint against the boroughs; he thought they managed the matter very carefully. He proposed to ask Parliament for power to enable the Treasury, when it was called upon to pay such a large sum to the police grant, not to pay it except on the certificate of the Secretary of State that the numbers were right, and the pay on a certain scale to be laid down. He did not think that would in the least interfere with local jurisdiction.

Vote *agreed to.*

(10.) £440,745, Convict Establishments, England and the Colonies.

MR. W. JAMES asked how far the labour of convicts was remunerative?

MR. ASSHETON CROSS said, he was anxious to establish some system by which convicts could supply a good deal of the labour that was required by Government Departments themselves. It would, he thought, be perfectly fair that one Government Department should be supplied by another; and with that view he had already allowed a large contract to be executed by convicts for clothing for the metropolitan police, and he must say that the work had been most admirably done—better, possibly, than it had been for some years.

Vote *agreed to.*

(11.) £101,187, County Prisons, Great Britain.

(12.) £230,547, Reformatory and Industrial Schools, Great Britain.

(13.) £24,484, Broadmoor Criminal Lunatic Asylum.

(14.) £18,690, Miscellaneous Legal Charges, England.

(15.) £69,389, Lord Advocate and Criminal Proceedings, Scotland.

(16.) £59,527, Courts of Law and Justice, Scotland.

(17.) £32,389, Register House Departments, Edinburgh.

(18.) £24,189, Prisons and Judicial Statistics, Scotland.

(19.) £80,453, Law Charges and Criminal Prosecutions, Ireland.

(20.) £42,196, Court of Chancery, Ireland.

(21.) £28,901, Common Law Courts, Ireland.

(22.) £9,619, Court of Bankruptcy, Ireland.

(23.) £12,283, Landed Estates Court, Ireland.

(24.) £11,530, Court of Probate, Ireland.

(25.) £1,700, Admiralty Court Registry, Ireland.

(26.) £18,460, Registry of Deeds, Ireland.

(27.) £3,060, Registry of Judgments, Ireland.

(28.) £136,975, Dublin Metropolitan Police.

(29.) £1,086,168, Constabulary, Ireland.

MR. DILLWYN said, this was a large and increasing Vote. It had increased £13,131 since last year, and he wanted some explanation.

SIR MICHAEL HICKS-BEACH said, the increase was chiefly due to the pensions to the Constabulary under the Act passed two years ago.

MR. STORER thought the expenses of the Irish Constabulary ought to be reduced to the English level, and that the Irish people should contribute as the English did, to the maintenance of their police. If they did so, it would probably give them a greater interest in the maintenance of peace in the country.

SIR MICHAEL HICKS-BEACH reminded the hon. Member that the Irish Constabulary was a Government force, and not constituted like the English county police.

MR. SULLIVAN could assure hon. Members that that was one of those items with a considerable portion of which the Irish people would willingly dispense. The semi-military element of benevolence for Imperial purposes was larger than they required; and although they thought they might be helped with regard to fisheries and other matters of that kind, they would have no objection to dispense with some of the expenses of the Constabulary, which was not a police Force, but a military Force, maintained in Ireland for Imperial military purposes.

Vote *agreed to.*

(30.) £40,540, Government Prisons, &c. Ireland.

(31.) £90,768, County Prisons and Reformatories, Ireland.

(32.) £6,165, Dundrum Criminal Lunatic Asylum, Ireland.

(33.) £69,666, Miscellaneous Legal Charges, Ireland.

House *resumed.*

Resolutions to be reported upon *Monday* next;

Committee to sit again upon *Monday* next.

POOR LAW AMENDMENT BILL.

(*Mr. Sclater-Booth, Mr. Salt.*)

[BILL 78.] SECOND READING.

Order for Second Reading read.

MR. SCLATER-BOOTH, in moving that the Bill be now read the second time, said, he would only trespass on the attention of the House while he stated briefly the nature of its provisions. Although it was called an omnibus Bill, it chiefly contained provision for the amendment of the Poor Laws. The first nine clauses had reference to a proposal which had been frequently brought before the House—namely, that the Local Government Board should have the power of dealing with what were called divided parishes. This proposal was sanctioned by a Committee of great authority which sat during the Session of 1873, and he did not think it was a change to which there could be any reasonable objection. There were, as the House would be surprised to hear, throughout England and Wales about 1,300 cases of these divided parishes, most of them being in two portions, but some, consisting of three, four, or even five portions isolated from the main body. Every facility was given in the Bill for objection to the proposed re-arrangement of parishes. Nothing could be done without inquiry, and if a certain proportion of the ratepayers objected, further proceedings must be by Provisional Order. He believed, however, that persons who were interested in this question would be found to acquiesce readily in the re-arrangement which might be found convenient. In Wales, for example, 200 parishes were divided in this way, and in 90 per cent of these cases there would be general acquiescence in the re-arrangement. Another part of the Bill, Clause 10, would authorize the Local Government Board under certain circumstances to dissolve Unions. This power was guarded, as in the last case, by the necessity of proceeding by inquiry, and after notice to all parties, though there would be no procedure by Provisional Order, for the language of the clause ran thus—

> "If it shall appear to the Local Government Board that it is expedient for rectifying or simplifying the areas of management, or otherwise for the better relief of the poor . . . . . the said Board may . . . . . issue their order for the dissolution of any such union."

These Unions were only constructed 40 years ago, by the authority of the Poor Law Commissioners; and were so constructed without any power on the part of the Boards of Guardians to object. On the whole, the laying out of the kingdom for Poor Law purposes in 1832 was remarkably well done, but certain inconveniences had since arisen in the areas thus apportioned. Out of 600 and odd Unions, 180 overlapped county boundaries. He did not suggest that it would be practicable or expedient to restrict all those Unions to the limits of county boundaries, but considerable improvements might be made in this respect, and the number of such cases might be reduced by a considerable percentage. The power of dissolving so important an administrative area as a Poor Law Union was, of course, a considerable one, though it was really not much in excess of the power already exercised by the Department in taking away this or that parish from a Union and annexing it to another. That power had been exercised with most satisfactory results, and it was only within the last few days that he had ordered two very important parishes to be severed from one Union and annexed to another. That, however, was not in all cases an adequate mode of dealing with the matter, and therefore it was considered right to give the Local Government Board the power to dissolve Unions and to consolidate two or more into one if considered necessary. He hoped that by means of Clause 10 and Clause 19 they would be able to effect that object. Since these areas had been laid out there had been many changes of population, and many arrangements made in 1832 had become inapplicable. Many small Unions might now, with advantage, be consolidated in one, if there were the power of setting aside the establishments, which now could not be done. Another object of pressing importance was the consolidation of Unions by agreement with each other, thus leading to a considerable economy. In the Eastern counties there were several cases in which it would be convenient that one workhouse should be retained for the use of two Unions. By means of the Bill this object would be effected. The Committee on Boundaries, which recommended that this power should be given, also recommended the extinction of small parishes. He had not, however, thought it right to load the Bill with a power which might provoke controversy. There were some other miscellaneous provisions which, though interesting, were hardly suitable for discussion, except in Committee. As to the Law of Settlement, which had been discussed with interest by recent Poor Law conferences, far be it from him to enter upon a general discussion of that important subject, which had been so often considered in that House. He should only say that he had not seen his way to advise the Government to abolish settlement or to make any considerable change, believing that such changes were premature, and were called for by no public necessity. If the question were raised in Committee, he should be ready to give it his consideration. He had, however, endeavoured to improve the existing law as regarded what were technically known as derivative settlements. Upon the question of the Irish poor removal the Bill proposed something which might be accepted as, at all events, a palliative for the evils which occasionally existed, though, as he had stated last year, those evils were now far fewer than those which used to exist in former days. It was proposed that the Irish immigrant—he would not call him a pauper—should have a special settlement after a three years' residence in an English parish. There were some important provisions with regard to the law relating to the relief of the poor of the metropolis with which he need not trouble the House at that moment, seeing that they were all matters of detail. He might, however, remark that one of those provisions dealt with the exemptions hitherto enjoyed by certain extra-parochial places in London, under which they did not contribute to the relief of the poor. He believed that the time had now come when some reasonable settlement of this question would be arrived at, and that these places would in future bear their fair share of the charge for the relief of the poor. In conclusion, he trusted that the House would read the Bill a second time.

Motion *agreed to.*

Bill read a second time, and *committed* for *Monday* next.

METROPOLITAN GAS COMPANIES BILL.

(*Sir James Hogg, Sir Andrew Lusk, Mr. Goldney.*)

[BILL 28.] SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir James Hogg.*)

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present,

House adjourned at a quarter before Nine o'clock, till Monday next.

HOUSE OF LORDS,

Saturday, 25th March, 1876.

MINUTES.]—PUBLIC BILL—*Second Reading—Committee negatived—Third Reading*—Consolidated Fund (£10,029,550 5*s.* 1*d.*) *, and *passed.*

Their Lordships met;—

CONSOLIDATED FUND (£10,029,550 5*s.* 1*d.*) BILL.

Read 2ª (according to Order); Committee *negatived;* Then Standing Orders (Nos. XXXVII. and XXXVIII. *considered* (according to order), and *dispensed with:* Bill read 3ª, and *passed.*

House adjourned at a quarter before Twelve o'clock, to Monday next, a quarter before Four o'clock.

HOUSE OF LORDS,

Monday, 27th March, 1876.

MINUTES.] — PUBLIC BILLS — *Committee — Report*—Burgesses (Scotland) * (35); County Palatine of Lancaster (Clerk of the Peace) * (34); Manchester Post Office * (33).
Report—Patents for Inventions * (38).
Royal Assent—(£10,029,550 5*s.* 1*d.*) Consolidated Fund) [39 *Vict.* c. 4]; Telegraphs (Money) [39 *Vict.* c. 5.]

UNIVERSITY OF OXFORD BILL.

NOTICE OF AMENDMENTS.

THE MARQUESS OF SALISBURY said, it might be convenient to their Lordships if he stated the effect of some of the more important Amendments which he proposed to introduce in the University of Oxford Bill. The Hebdomadal Council—the Governing Body of the University — had considered the measure and passed some resolutions respecting it, which were afterwards confirmed by Convocation. In the majority of those resolutions Her Majesty's Government would be able to concur. He proposed that the appeal to the Queen in Council should not be limited to the question of "validity." He proposed, in accordance with the wishes of the Hebdomadal Council, to set up a Standing Committee of the Privy Council to which the appeals would be referred. After the cesser of the powers of the Commissioners this Standing Committee would have the power of hearing proposals. It was almost the unanimous feeling of the University that a vetoing power given to the University would be an interference with the independence of the Colleges. Accordingly, he would propose, as a substitute, that application should be made to the Standing Committee of the Privy Council. Next, he would propose that the operation of the 42nd clause—within which such dark designs for reversing the University Tests Act had been discovered by jealous eyes—should be limited to those cases in which offices should be created or endowed for which theological learning was a requirement. The clause would not bind the Commissioners to set up such endowments. Another important Amendment was, that the duration of the Commission should be four instead of seven years; but, as experience seemed to show that four years might not be sufficient for the work which the Commissioners would have to do, he would further propose to reserve power to Her Majesty to extend the period on the application of the Commissioners themselves. It had been stated by way of objection to the Bill that no direction was given to the Commissioners. To meet that objection he proposed to introduce in the Preamble a recital for the guidance of the Commissioners. He had now to mention the Commissioners whose names were to be inserted in the Bill. They were the Right Honourable Lord Selborne; the Right Honourable Lord Redesdale; the Very Reverend the Dean of Chichester; the Right Honourable Montague Bernard, D.C.L.; Sir William Grove, one of the Justices of Her Majesty's High Court of Justice; Sir Henry Maine, K.C.S.I.; Matthew White Ridley, Esquire, Member of Parliament.

EARL GRANVILLE understood that on Thursday next the noble Marquess would propose that the House go into Committee *pro formâ* on the Bill. He wished to know when the discussion of the Bill in Committee would be taken.

THE MARQUESS OF SALISBURY said, he proposed to take the Committee on the following day.

CRIMINAL LAW—THE CASE OF POLICE-CONSTABLE MACONACHIE.

THE EARL OF MINTO rose to call attention to some circumstances connected with the apprehension, trial, and acquittal of Police Constable Maconachie, of the Roxburghshire Constabulary, on a charge of the culpable homicide of John Melville last autumn; and asked for the production of Papers bearing on the subject. The noble Earl, having read the facts of the case and the proceedings before the Court, said, there were some matters in the proceedings which required to be cleared up, and he hoped there would be no objection to give such information as was in the possession of the Government.

THE DUKE OF RICHMOND AND GORDON had no doubt the noble Earl was perfectly accurate in his description of the present state of the law; but that was a subject he was not himself qualified to discuss. It did not appear from the noble Earl's statement that any undue delay had occurred in carrying out the investigation of the charge. The inquiry took place in the usual manner by the Procurator Fiscal, and his report was sent to the Crown counsel in Edinburgh, who also thoroughly investigated the matter. The case was sent for trial, and the accused was unanimously acquitted by the jury; the learned judge remarking that the Procurator Fiscal had acted in every respect in a most proper and becoming manner, and the authorities were perfectly satisfied with the result. The noble Earl had stated the well-known fact that the proceedings before the Procurator Fiscal in Scotland were different from those before the Coroner in England, inasmuch as the latter were open and public, while the former were secret. Which was the better system he should not stop to inquire; but as the reports of the Procurator Fiscal were private and confidential documents, their production would be irregular, unusual, and very inconvenient. The notes of the Judge who presided at the trial were public documents, and could be produced; but he doubted whether any good would result from their production.

SULPHUROUS ACID, &c.

ADDRESS FOR A ROYAL COMMISSION.

THE DUKE OF NORTHUMBERLAND: My Lords, before I proceed with the Motion of which I have given Notice, I have a Petition to present to your Lordships on the subject to which it relates: it is signed by a number of the most influential persons in the commerce, agriculture, and manufactories of the towns on both banks of the Tyne; they complain that they suffer great injury and annoyance arising from the fumes of chemical, lead, gas, and other works, and that the existing Acts are inadequate to afford a remedy against these evils; and they beg that further legislation may be brought to bear upon them, or that, if necessary, a Royal Commission may be appointed to take the matter into consideration, and to suggest remedies. It will be in your Lordships' recollection, that a few days since my noble Friend on my right (Lord Winmarleigh) presented a Petition of the same character from the West of England, so that you will be aware that the evil complained of is widely spread, and whether on the East or the West side of the island, its effects are found intolerable by all classes. I am glad to think that the clear and convincing statement made by my noble Friend on that occasion will render it unnecessary for me to trespass long on your Lordships' patience. Now to proceed with the Motion on the Paper. It may not have escaped your Lordships' observation that it was originally directed to the prevention of noxious vapours arising from mineral works, these works being excepted from the operation of the Alkali and Local Board of Health Acts. I have, however received so many complaints, from different quarters, of nuisances arising from other sources, against which it was alleged that in practice there was no remedy, that I have altered the terms of the Notice, so as to include all such emanations, from whatever trade or works arising. I will not weary your Lordships with a long list of these diverse gases and vapours, suffice it to say, that some of them are in a concentrated condition absolutely fatal to animal and vegetable life; and even when in a diluted form, most injurious; others act not so directly and immediately on life, but lower the vital force, thus predisposing to disease and death, more especially in the early stages of infantile existence: all acting most injuriously, by their effects on clothing and food, and by the impediment they offer to domestic and public cleanliness, so important in the crowded state of the population exposed to their effects, imposing a heavy burden on their resources by enhancing the price of the necessaries and the comforts of life. These evils increase daily, and some idea may be formed of the growth of the number of the sufferers from the fact that, according to the last Census, the number of those who are employed in the mineral and alkali works alone have increased by 84 per cent in the former, and by 35 per cent in the latter trade. Now, my Lords, as to the remedies afforded by the law, I do not pretend to be very well versed in the legal aspect of the question, but as far as I know, they are practically almost inoperative—there is the ordinary action, with all its uncertainties, the difficulty of defining the nuisance, the difficulty of fixing upon the offender, the uncertainty of the decision of a jury, subject to local influences and local prejudices, and even if the suitor succeed in obtaining a verdict in his favour, the probability of the speedy recurrence of the wrong. I know a case where a verdict was returned against a firm, for a nuisance caused by its works, and damages given; but on the sufferer threatening to recur again to the law, when the offence had been repeated, he was informed that the firm was quite indifferent to it, as it could well afford to pay, and kept a fund in reserve to meet such expenses. As to the remedies by statute—the Local Board of Health and Alkali Acts—it is affirmed that it is exceedingly difficult to get the official, whose duty it is under the provisions of the former Act, to move; that local prejudices and partialities too often interfere with his action; whilst as to the Alkali Acts, which deal with only one source of mischief the allegation is made of undue lenity and unwillingness to proceed against offenders, as well as of carelessness and indifference. I do not myself attach much weight to these accusations, whatever may be the case under the first-mentioned head; as far as I can make out, the Alkali Acts Inspectors have discharged their duty very fairly on the whole; they are greatly overworked, and yet have greatly diminished the cause of complaint; and the supposed remissness and reluctance to prosecute are really owing to a desire to give time for experiment and for necssary alterations—in short, they wish to lead rather than to drive men, which I believe, where such great interests are involved, to be the best and wisest way of proceeding. Now, my Lords, I have heard these objections suggested to the issue of the Royal Commission. I propose, first, that it will suspend all legislation for the extension of the powers of the Acts now in existence; the other, that it will cause additional difficulty in dealing hereafter with the subject, owing to the increase of the numbers of the works and manufactories producing the vapours complained of, pending the conclusion of the labours of the Commission, which must necessarily occupy some considerable time. I can only say, as regards the first of these objections, I can see no reason why there should be any difficulty in extending and improving the provisions of Acts which, though not fully successful in the attainment of the objects to which they were directed, have nevertheless been proved by experience to be of the greatest benefit. As to the other point, it must be remembered that the issue of the Commission is in itself a notification to all who may hereafter embark in a business, or trade, or manufactory productive of injury that they do so at their own risk, and cannot claim the consideration which manufacturers of a previous date may be reasonably thought entitled to in the event of future legislation. In questions of such great interest and advantage to the national prosperity, it is of the very greatest possible importance that those who are concerned in them should not imagine that they are to be treated in a hostile spirit; many of them, I know, are men of great acquirement, deep sense of responsibility, and philanthropic disposition, and will prove, if assured that their interests will be treated with proper fairness, the best auxiliaries to the labours of the Commission. I will only express, in conclusion, my Lords, my conviction that any Administration, whether formed from this or from the opposite side of this House, will, if they succeed in the task of preserving the two elements necessary to our existence, the air we breathe, and the water we drink, from pollution, confer the greatest benefit on the country and deserve the general gratitude of the whole nation.

Moved, that an humble Address be presented to Her Majesty, praying that Her Majesty will be graciously pleased to appoint a Royal Commission to inquire into the working and management of works and manufactories from which sulphurous acid, sulphuretted hydrogen, and ammoniacal or other vapours and gases are given off, to ascertain the effect produced thereby on animal and vegetable life, and to report on the means to be adopted for the prevention of injury thereto arising from the exhalations of such acids, vapours, and gases, and upon the legislative measures required for this purpose.—(*The Duke of Northumberland.*)

The Duke of Northumberland

THE ARCHBISHOP OF CANTERBURY said, he had heard with great satisfaction that it was not proposed to confine the inquiry to what was done on the banks of the Tyne; for he thought their Lordships would agree with him that the banks of the Thames were even more important, considering the number of persons interested in the salubrity of the Thames Valley. He interposed in this discussion, not from the personal considerations which might be supposed to influence him from the fact that he resided in Lambeth, but because he regarded this as a most important social question. If the circumstances under which manufactories were conducted were such as to drive away from the neighbourhoods in which those manufactories were situated all rich people who could afford to dwell elsewhere, the result must be that enormous towns would grow up inhabited solely by the poor and thus the distinction between the wealthy and the poor, which at present was but too distinctly marked —and which was one of the great social evils of the day — would be still further increased — persons of the lowest grade would crowd into the large suburbs or towns where none of the influences of wealth or superior education could be brought to bear upon them, and thus great evils could not not but be created or augmented. It had no doubt struck the noble Duke— indeed, it must strike everybody who had known the metropolis for many years—that the gardens which used to be the glory of the neighbourhood of London were fast disappearing; and that those beautiful cedars which were seen in the neighbourhood of London in greater number than in any other part of the Kingdom were fast wasting away. It was equally true that the richer people who used to live in the suburbs of London were gradually drawing further away. He held in his hand an official Report which described the state of things which existed within a few minutes walk of their Lordships' House. It stated that along the Albert Embankment, between Vauxhall and Lambeth Bridges, there were works which were highly injurious to the health of the inhabitants of a poor and very crowded neighbourhood. The works evolved noxious gases injurious to animal and vegetable life: in the midst of July the leaves were seen to wither on the trees—many of the trees died, and he was informed that the Local Board had determined not to plant any more trees there, considering it simply a waste of money. In another Report—one drawn up by a gentleman who held an important station—it appeared that the powers given by existing statutes for the suppression of nuisances could scarcely be applied to certain premises in the neighbourhood of Lambeth; because, in cases in which the offensive substance was not kept longer than was necessary for the particular business or manufacture there was no right of interference, and yet in Lambeth some of those substances were ordure. There were manure heaps within a short distance of a flour mill, the flour manufactured within which must be contaminated by the effluvium from these heaps; and thus disease was spread in the manner they had heard of in the spread of disease by diseased milk or polluted water. He trusted, therefore, that from any inquiry by a Royal Commission the metropolis would not be excepted. Their Lordships, who were able to live in large and healthy houses, enjoyed the satisfaction of feeling that they might have comparative immunity from noxious vapours and gases: and he himself, though dwelling in Lambeth, had the advantage of a spacious house, with a large garden, and had the further advantage of being able to go to the country when he desired to enjoy the pure breezes of the fields; but let their Lordships think of the thousands of poor who, living in such a neighbourhood, were shut up in their narrow lanes and crowded houses from morning to evening and from evening to morning throughout the whole 12 months of the year—always breathing the atmosphere created by those neglected manufactories and heaps of manure. It must not be supposed that the noble Duke or himself did not enter into the feelings of those who were the proprietors of these works. No one could have visited the Potteries over the river, and seen the wonderful works of art recently sent to Philadelphia, without fully recognizing how much good was done by these works. No one could say that because they suffered from the vicinity of a candle manufactory, they did not appreciate the advantage of having bright lights and beautiful wax candles. Nor did they object to manure in its right place; but that place was not within a few minutes' walk of that House or his own residence. What they complained of was, not that these things were done, but that proper care was not taken in the doing of them. Were they to believe that modern science could not find some remedy for these evils—that some of those gentlemen who it was proposed should receive in our Universities liberal salaries for carrying on their researches, could not find some way of at once preserving our health and causing the civilizing arts to flourish among us? Manufacturers had no vested right to destroy our health in order that they might minister to the progress of the arts which they had introduced into this country. He hoped the inquiry would be granted, that it would be extended to the metropolis, and that, as soon as possible, legislation would rescue a large portion of the community from the evils under which so many at present laboured.

Lord ABERDARE said, that already a great deal had been done in dealing with deleterious vapours discharged in the process of manufactures. At Swansea, for instance, the neighbourhood of which at one time had suffered severly from the evil effects of these vapours, they had been utilized, and the bad effects had gradually disappeared. He doubted whether it was a proper employment of public funds to pay Inspectors whose chief function would be the preservation or improvement of private property; but he certainly did not think that the law at present gave sufficient protection either to individuals or the public. He hoped that between the power given to local officers and the power vested in the general law there might be found some middle course which, when adopted, would protect the public against a great evil. He thought that a case had been made out for inquiry; and if it should be granted, he hoped that the matter would be entrusted to persons who would be competent to deal with it, so that means might be devised to prevent the spread of noxious vapours without any improper interference with property or with trade.

Lord WINMARLEIGH said, he agreed that the inquiry should be on an extensive basis. It was as much for the benefit of the poor as the rich; and although it was stated that the movement originated in a desire to protect property, it would soon be found that the persons who suffered most from these vapours were not the rich, but the poor. He could mention instances where whole villages and towns were covered by these noxious vapours; but the wealthier portion of the inhabitants, who profited by the labour of the work people, were able to build villas in healthy localities, and so escape the danger to which the humbler classes were exposed. He thought a part of the inquiry should be directed towards some mode by which districts might combine to repress the evils complained of; for so powerful and wealthy were the manufacturers who were responsible for these evils, that it was almost impossible for a private individual to cope with them. The mischief was one of such pressing necessity and rapid growth that he entreated the Government to let their action in the matter be speedy. His experience of Royal Commissions was certainly not favourable as regarded despatch, but he believed that if the Commission now sought for were properly constituted and set to work at once, a basis for legislation would soon be laid.

THE DUKE OF RICHMOND AND GORDON assured his noble Friends that the Government were perfectly alive to the importance of the subject. With regard to the remarks that had fallen from the most rev. Prelate, he could assure him that he did not yield, on the part of the Government, to his most rev. Friend himself in the desire to protect the poorer classes from the evils and discomforts which had been so eloquently described. Animated by this feeling, it was their intention to agree to the Motion for the appointment of a Royal Commission—with a slight modification which he would presently explain. The propriety of appointing Inspectors to carry out the provisions of existing Acts had been discussed; but if such a step were taken, they would incur the serious danger of shifting responsibility from the shoulders of the authorities who were now charged with that duty. As for the complaints which had been made of nuisances prejudicial to health or life, he could not understand how the local authorities of the districts referred to did not take action to carry out the powers with which they were already armed. His impression was that the local and sanitary authorities throughout the country were in a position to deal with such cases as the noble Duke (the Duke of Northumberland) had spoken of, and that on complaint being made from any particular locality it would be the duty of the Local Government Board to order an inspection to be made, and to put the law in force. In most places he fancied the great difficulty was to find out what were the noxious gases that were producing disease or death, and then to ascertain who were really the parties who produced them. But in the case referred to by the most rev. Prelate, the sanitary Inspector must have been neglecting his duty. He ventured to think that if the most rev. Prelate complained to the Local Government Board that a nuisance existed, and that the local authorities concerned were not exercising their powers, some action would at once be taken. But although the Local Government Board and local authorities possessed certain powers for dealing with the evils in question, there was no doubt that the subject required to be further dealt with, and he should not be doing justice to his right hon. Friend at the head of the Local Government Board (Mr. Sclater-Booth) if he did not state what he had done in that way since coming into office. As their Lordships were aware, Mr. Sclater-Booth in 1874 amended the law so as to diminish the amount of muriatic acid which it was allowable to emit from manufactories, thereby considerably contracting the evils which the emission of that acid had previously produced. Much good had, no doubt, resulted from that step; but his right hon. Friend felt that further information on the subject was necessary, and he had accordingly desired one of the officers of his Department—Dr. Ballard, a most competent gentleman—to inquire into the nuisances arising from manufactures and other industries with special regard to health, and to ascertain in what way they could be abated. In order to show the scope of the inquiry he would just mention what Dr. Ballard had done at different places throughout the country. In London, Dr. Ballard's investigations had had reference to nitric and sulphuric acid, dip-candle, alkali, and salt cake making, soap and bone boiling, chemical manures and nackeries; at Plymouth, to soap boiling and candlemaking, &c.; at Devonport, to the preparation of fish oils, &c.; at Bristol, to glue making, soap boiling, and candlemaking; at Wolverhampton, to bone boiling, varnish making, and galvanizing works; at Birmingham, to chemical manures, &c.; at Manchester, to chemical manures, soap boiling, alkali making, and dust sifting; at Warrington, to galvanizing works, glass works, and candlemaking; and at St. Helen's, to alkali and salt cake making and copper works. Dr. Ballard's report was not yet completed. When it was it would of course be laid before the Royal Commission, which, as he had already stated, Her Majesty would be advised to issue. He did not, however, think it was the province of the Royal Commission to recommend what legislative measures were required, and therefore he would suggest that the concluding words of the Motion—namely, "and upon the legislative measures required for this purpose"—be omitted.

LORD ABERDARE was understood to say that he thought the Commission should direct some of its attention to the defects of the present law.

THE LORD CHANCELLOR said, the Commission would naturally extend its inquiry into the causes which rendered the law as it now stood ineffectual for the object for which it was intended.

Words "and upon the legislative measures required for this purpose" *withdrawn.*

Motion, as amended, *agreed to.*

AMENDMENT OF THE MARRIAGE LAW.

QUESTION. OBSERVATIONS.

LORD CHELMSFORD rose to ask the noble and learned Lord on the Woolsack, Whether he is prepared to introduce a Bill to carry out the recommendations for the amendment of the Marriage Law contained in the Report of the Marriage Law Commission presented to the House in 1868? The subject was one of very great importance, and it was hardly possible to over-estimate the importance of the recommendations of the Royal Commission. Before the issue of that Commission a celebrated case occurred which was tried in the Courts of Ireland and Scotland, and ultimately came up to their Lordships' House, and in which there was a great conflict of opinion with regard to certain peculiarities of the Scotch law, and also as to the law relating to mixed marriages in Ireland. The difficulties and perplexities of the state of the law which that case disclosed led to a very general desire that an endeavour should be made if possible to bring the Marriage Law in different parts of the United Kingdom into closer conformity. The Royal Commission was accordingly issued in 1865; the scope of its inquiry was very wide, extending into the state and operation of the various laws affecting marriage now in force in different parts of the United Kingdom, and also into the laws affecting the marriage of Her Majesty's European subjects in India and in foreign countries. The Commission included five Members, one of whom had been Lord Chancellor, and four who afterwards occupied the Woolsack—and it must be admitted that it was impossible to appoint a body of men more capable of conducting such an investigation than those who sat on that Commission. Their inquiry ranged over a considerable period—partly owing to the difficulty of bringing together many of the Commissioners who had judicial and other professional duties to perform in various parts of the Kingdom. But at length their most interesting and valuable Report was prepared by his noble and learned Friend opposite (Lord Selborne) and presented in 1868. The Report recommended several most important alterations in the Marriage Law, the effect of which could not be better expressed than in the following words of the Report itself:—

> "Should our recommendations in their general substance become law the great object of uniformity will have been accomplished, the law will be simplified and consolidated, the highest practicable security for the facility, certainty, and safety of marriage will have been attained without any infringement of religious liberty, or antagonism between the authority of the State and the influence of religion, and at the same time there will be no sensible interference with the previously accustomed course of regular marriage as hitherto solemnized in England, in Scotland, or in Ireland."

Eight years had since passed away, but not one step had yet been taken to give effect to these recommendations. A matter of that great importance could only be undertaken by the authority of the Government, and therefore he had urged successive occupants of the Woolsack to deal with it; but he had always been told that other questions of more pressing importance claimed attention. It might be asked why he had not taken up the subject himself?—but his answer was that he had left office before the Report of the Commissioners was laid on the Table. It was a matter of great regret and almost of reproach that the labours of such a Commission should have been entirely thrown away, or have at all events remained so long unfruitful; and, therefore, he wished to ask whether his noble and learned Friend on the Woolsack would bring in a Bill on the subject?

The LORD CHANCELLOR said, he agreed with almost all that had fallen from his noble and learned Friend (Lord Chelmsford), and was not surprised, considering the importance of the question, that he had now, as on former occasions, called attention to it. He had himself always felt, and still felt, that it was a very great and very grave reproach to this country that, with regard to the constitution of the most important relation of life the laws of the three parts of the United Kingdom were essentially different; and not only so, but that in some parts of that United Kingdom the laws on that subject should be of a character such as to expose the constitution of that relation to the greatest doubt, uncertainty, and peril. His noble and learned Friend had referred to one great example of the absurdity and peculiarity of the law on this subject which preceded the appointment of the Commission. His noble and learned Friend might also have referred to a much more recent case which came before their Lordships in their judicial capacity in the course of last Session, and which was a most striking and singular instance of the cloud of doubt and ambiguity that could be thrown around the question of an allegation of marriage in the Northern part of the Kingdom. His noble and learned Friend was undoubtedly right in saying that this subject was not only a very important, but also a very large one. In every word his noble and learned Friend had said as to the value of the Report of the Commission, the interesting character of the Report and the expediency of the recommendations which it made, he (the Lord Chancellor) concurred. At the same time it was impossible for any of their Lordships to disguise from themselves that when an effort was made to propose a measure of legislation on this subject, that measure must necessarily be one which must occupy a considerable time, and, he was sorry to say, would create a considerable amount of opposition. It was proved before the Commission that there were in Scotland strong opponents of any change in the law; and in Ireland any question affecting the marriage law would necessarily engender religious controversies. He did not say that he should shrink from introducing a measure on the subject—in fact, in the course of last Session he entertained a very sanguine hope that he might have been able in the present Session to ask their Lordships' consent to a change in the Marriage Law, and he took steps for the preparation of a Bill on the subject in the course of last Autumn. But he found that, as far as he was concerned, the list of measures which it was absolutely necessary to propose to Parliament during the present Session amounted to a number which took away any reasonable hope of being able to add to them a measure for the amendment of the Marriage Law. Their Lordships had had already before them three of the measures which he called necessary measures this Session—one with reference to the Appellate Jurisdiction, another on the subject of Patents, and a third—a very large and very important measure—for the alteration of the Judicature of Ireland. But there were at least three other measures which were ready for introduction, or almost so, and were only awaiting the prospect of their being passed—he would not say in that House, for it might be easy enough to pass them there, but in the other House of Parliament. He hoped the Session would not pass over without Parliament being able to consider a Bill upon the subject of the Bankruptcy Law. He hoped to be able to introduce the Bill after Easter. Next to that was a measure which was urgently called for, more particularly in consequence of the changes caused by the Judicature Act—he meant a measure on the subject of juries. The Judicature Act had greatly increased the work of juries. There was another measure which was very much demanded in consequence of the changes recently made in the law—he meant a measure for consolidating and amending the crowd of statutes on the subject of Evidence. Those were three measures which, if he could see the least prospect of their being passed in the other House of Parliament, he should at once ask their Lordships to entertain in this House. But he was not sanguine enough to hope that the six measures which he had mentioned could be disposed of in one Session; and in these circumstances it would be idle and turn legislation into a mockery to lay on their Lordships' Table a Bill upon that great subject, the amendment of the Marriage Law. That was the explanation he had to give to his noble and learned Friend, and he gave it with the most anxious desire that the first moment he could see his way to such a measure being entertained by Parliament, a Bill should be introduced to give effect to the main recommendation of Commission.

House adjourned at a quarter past seven o'clock to-morrow a quarter before Five o'clock.

* * *

HOUSE OF COMMONS,

Monday, 27*th March*, 1876.

MINUTES.] — SELECT COMMITTEE — Ecclesiastical Dilapidations Acts, *nominated.*
SUPPLY—*considered in Committee*—CIVIL SERVICE ESTIMATES—*Resolutions* [March 24] *reported.*
PUBLIC BILLS — *Ordered* — *First Reading* — Notices to Quit (Ireland) * [114].
Second Reading—Coroners (Dublin) * [104]; Trade Union Act (1871) Amendment * [92].
Referred to Select Committee—Poolbeg Lighthouse * [105].
Committee—Merchant Shipping [49]—R.P.; Mutiny *—R.P.
Withdrawn—Union Rating (Ireland) * [58].

PARLIAMENT—PRIVATE BILL COMMITTEES—REFEREES—INSTRUCTION.

RESOLUTION.

MR. MOWBRAY, in rising to call the attention of the House to the Report of the Select Committee on Referees, and to move—

> "That it be an Instruction to Committees on Private Bills, that Referees, appointed to such Committees, may take part in all the proceedings thereof, but without the power of voting,"

said, he had to express his regret that his right hon. Friend the Member for the University of Cambridge (Mr. Spencer Walpole) was prevented from attending in the House that evening. In consequence of his absence, he (Mr. Mowbray) had to undertake the duty he was now fulfilling, and in doing so, he would remind hon. Gentlemen that on the 18th February last the House learnt for the first time, somewhat to its surprise, that the Referees upon Private Bills, who were not Members of the House, were shown by the hon. Member for Glasgow (Mr. Anderson) to have been in the habit of exercising the right of voting upon Private Bill Committees. He was far from intending to blame the gentlemen who had exercised a right which they believed they possessed, and which appeared to result from the legitimate construction to be put on the Standing Orders of the House, but the majority of the House were ignorant of the fact that the Referees voted as well as sat in the Committees to which they were nominated. Under those circumstances, and upon the Motion of the hon. Member for Glasgow, a Committee was appointed to inquire and report on the position of the Referees of the House with reference to Private Bill legislation, and as to the legality and expediency of allowing them the same power of voting upon Private Bills as was enjoyed by Members of Parliament regularly elected by constituencies. The Committee had met, and he would now shortly call attention both to the statements contained in its Report, and to the conclusions which the Committee drew. The Committee were materially assisted by the evidence of two most able and experienced witnesses. One was the very able and learned Clerk of the House of Commons (Sir Erskine May), who had been so long regarded as a great authority and exponent of Parliamentary law and usage, and the other was Lord Winmarleigh, better known, perhaps, as Colonel Wilson-Patten, who could say what no other man could say, that he had sat in this House for upwards of 40 years, and, with the exception of one year, when he held office under the Crown, he had been a Member of the Standing Orders Committee for 40 years, and for a large portion of the time he had been Chairman of the Committee. Colonel

Wilson-Patten was himself the originator of the Referees, who was first appointed in 1864, and who, in 1865, were constituted a Court of Referees for questions of *locus standi*, which tribunal was in existence at the present day. With regard to that portion of the duties of the Referees, the Select Committee proposed to make no change whatever. The success of the experiment of 1864 was so favourably regarded by that House and by Parliament that in 1867 Parliament passed a Bill by which the Court of Referees was empowered to administer oaths just the same as Committees on Private Bills. In 1868 his right hon. Friend the Member for Chester (Mr. Dodson) proposed considerably to extend the powers of Referees, and at that time Lord Hotham, then Chairman of the Committee on Standing Orders, said he had consulted that Committee on the subject, and he moved and carried a Motion by which it was resolved that the Committee of Selection might refer any opposed Private Bill, or any group of such Bills, to a Committee consisting of four Members and a Referee. Standing Orders were made from time to time in pursuance of that Motion. Lord Hotham in his speech spoke of every Committee having the advantage of the presence and assistance of a Referee, "who should have a vote," but neither in his Motion as carried in the House, nor in the Standing Orders, was any mention made of the power of voting. It further appeared from extracts from the evidence given before the Committee that, in the opinion of authoritative witnesses, the assumed right of the Referees to vote in Committee on Private Bills was not according to Parliamentary usage, but was a distinct departure from it. Sir Erskine May declared that only those who were Members of the House should vote, and that learned gentleman also stated, in answer to a Question—

> "Having fully considered all these points, if I may venture to offer an opinion on the whole case, I think that in 1868 the House made a slight slip upon the advice of Lord Hotham."

He also added that the House had unquestionable power to regulate all its proceedings on such matters and in reference to the duties which it called upon its officers to perform, and that it could not do an illegal act on such points in such a way that any action could lie against it in any Court of Law; but, on the other hand, he declared that what had been done in the present matter was a clear departure from Parliamentary usage and Parliamentary principle. He (Mr. Mowbray) would not trouble the House further with the evidence given before the Committee; but he wished to point out that the unanimous conclusion of the Committee was, that it was inconsistent with ancient Parliamentary usage and opposed to constitutional principles to allow the Referees the right of voting; and therefore the Committee recommended that instructions should be given that the Referees should have power to take part in all proceedings of Private Bill Committees except in the exercise of the power of voting. That was the Report of a very large Committee, consisting of 21 Members, men of great experience in that House. In conclusion, he would move the Resolution, confirmatory of that Report.

Motion made, and Question proposed,

"That it be an Instruction to Committees on Private Bills, that Referees, appointed to such Committees, may take part in all the proceedings thereof, but without the power of voting."—(*Mr. Mowbray.*)

Mr. RAIKES said, he joined in the regret expressed by his right hon. Friend relative to the unavoidable absence of the right hon. Gentleman the Member for the University of Cambridge. At the same time, he did not think the course now proposed was the most convenient mode of giving expression to the decision at which the Select Committee had arrived. The Committee had considered their Report with exceedingly great care, and had made a very positive and explicit declaration; but he thought it would have been better if the proposal now made had been a proposal to alter the Standing Orders, instead of merely proceeding by formal Instruction to establish a practice which might hereafter be stigmatized as another slip made by this House. If a change were made, it would be better to embody it in the Standing Orders. He thought that would afford a more convenient opportunity for considering various other questions raised in the matter which could not be disposed of by the mere adoption of an Instruction of this sort. Whenever the question was again before the House, it would be his duty to invite the consideration of Parliament to the propriety of returning to the old number of Members upon a Private Bill Committee, and, instead of constituting such Committees as at present of four Members, to constitute them of five. He declared now, as he had declared when the question was before the House on a previous occasion, that he was not wedded to the desirability of keeping up the present mode of reference; he only submitted to the House that he thought the system had worked well, and that it was not perhaps desirable, under the peculiar circumstances of the case, and under the form of the Motion originally submitted by the hon. Member for Glasgow, to change a system which he thought had worked well. But he quite admitted on that previous occasion that if the question were gone into, the vote of the Referees would be found to be of so anomalous a character that it would be impossible to sustain it. He had no opposition to offer to the present Motion; but he presumed that when the right hon. Gentleman returned to the House, he would move an alteration of the Standing Orders to meet the case, and that would be the best course to adopt.

SIR EDWARD COLEBROOKE said, he wished to make one remark as to the decision to which the Select Committee had arrived, and he was the more anxious to do that, because the right hon. Gentleman who had made the Motion now before the House had unconsciously fallen into an error in stating that the evidence of two witnesses—Sir Erskine May and Lord Winmarleigh—had settled the question. No doubt, the Committee had followed the opinion given on the high authority of Sir Erskine May; but with regard to the evidence of Lord Winmarleigh, it would be in the recollection of Members of the Committee that, when the question was put to him as a matter of principle or expediency, he waived his opinion in consideration of the opinion already given by Sir Erskine May. He (Sir Edward Colebrooke) thought it right to call attention to that fact, because otherwise a wrong impression might get abroad. He could not agree with the strong opinion given by the Committee, that allowing votes to Referees was a violation of the Constitution, for it should always be borne in mind that, on the same evidence on which the Committee relied, the authority of the House was pronounced so high that it would be possible for it to suppress Private Bill Committees altogether, and refer all such measures to the reports of gentlemen who were not Members of the House.

MR. ANDERSON said, he had no wish to prolong the debate upon the question, for no hon. Member seemed inclined to oppose the Motion before the House. He would only say that he was himself perfectly content with the point brought before the House as being proved by so high an authority as Sir Erskine May that it was unconstitutional for this House to do what was done on a certain occasion in 1868, when, in the words of that learned gentleman, the House made a slight slip. The Committee had accordingly reported that the House ought to retrace the step. He took it from what had fallen from the hon. Gentleman the Chairman of Committees (Mr. Raikes) that this Resolution would be considered by the Standing Orders Committee, and that it would be embodied in a change of the Standing Orders. He perfectly agreed with what had been said as to the propriety of returning to Committees of five Members, for he thought it was highly desirable that they should get rid of the casting vote of the Chairman on small Committees, and should return to the former number of Members upon a Committee, but that was not the subject which was now before the House. He cordially supported the Motion of the right hon. Gentleman opposite.

Question put, and *agreed to*.

Ordered, That it be an Instruction to Committees on Private Bills, that Referees, appointed to such Committees, may take part in all the proceedings thereof, but without the power of voting.

FACTORY AND WORKSHOPS COMMISSION.—THE REPORT.—QUESTION.

MR. J. W. BARCLAY asked the Secretary of State for the Home Department, Whether he will bring in a Bill this Session to carry out the recommendation of the Factory and Workshops Commissioners, that owners of water mills should have power to make up lost time?

MR. ASSHETON CROSS, in reply, said, he could not undertake to bring in the Bill specified in the Question of the hon. Member, for the reason that it would hardly be possible to call attention that Session to the whole of the Report of the Factory and Workshops Commissioners, and if he dealt with only one part of it other parties interested might complain. Instead of dealing with the question piecemeal, it would be better to deal with the whole Report fully next Session.

ARMY—WAR DEPARTMENT CONTRACTS.—QUESTION.

Mr. SULLIVAN asked the Secretary of State for War, If it is the fact that the contract for the conveyance or haulage to or from the depôts of the War Department at Athlone, Belfast, Curragh, Dublin, and Enniskillen, were renewed for a further period of three years with the then contractor, in August last, being before the expiry of the existing contract, without giving any other carrier an opportunity of tendering?

Mr. GATHORNE HARDY: Sir, the statement contained in the Question is correct under the following circumstances:—In 1870, on the usual notice being given by public advertizement, only one tender was received, and this from the previous contractors, who were accordingly granted a renewal for three years. In 1873 these contractors were again the only persons who sent in a tender, but, as they had raised their rates, an attempt was made by the Control department to conduct the work. This was found not to answer, and, as the contractors in question had reduced some of their rates, they were given the contract for three years from August, 1873. Eighteen months before the expiration of the time they offered to reduce their rates by 5 per cent, provided they were given a fresh contract for three years, and as, after inquiry, it appeared that there was no prospect of other tenders being received, the contract was extended for a further period of three years on the reduced terms offered.

ARMY VETERINARY SURGEONS.
QUESTION.

Mr. STACPOOLE asked the Secretary of State for War, When he will be prepared to state his intentions with reference to an assimilation of the offices of Principal Veterinary Surgeon and the head of the Medical Department as regards period of service and retirement; and, whether he contemplates any other steps whereby both the pay of Army Veterinary Surgeons may be increased and the path to promotion opened up to them?

Mr. GATHORNE HARDY, in reply, said, the subject mentioned in the Question of the hon. Gentleman was under consideration. There were, however, very great difficulties in the way. In consequence of the enormous amount of work the actuary had in hand he (Mr. Gathorne Hardy) could not fix a time for dealing with the question; but he was most anxious that the Army Veterinary department should be put in a more satisfactory state, especially as regarded the term for which the principal veterinary surgeon should hold his appointment.

EDUCATION—THE QUEEN'S SPEECH—LEGISLATION.—QUESTION.

Mr. W. E. FORSTER asked the Vice President of the Committee of Council on Education, Whether he can inform the House when he will be able to bring in the Education Bill mentioned in the Queen's Speech, and especially whether he will be able to do so before the 5th of April, the day fixed for the Second Reading of the Elementary Education Act Amendment Bill?

Viscount SANDON: Sir, I quite understand the anxiety of my right hon. Friend to know the provisions of the Government Bill respecting Primary Education, as I suffered myself from the same anxiety in 1873, when a Bill respecting Elementary Education was announced in the Speech from the Throne. In that year, however, if my memory serves me, my right hon. Friend was not able to bring his Bill before the House till the 12th of June. I hope to be able to introduce the Government measure respecting education shortly after Easter, and, anyhow, I sincerely trust that history will not so far repeat itself as that I should be compelled to put off its introduction till the 12th of June, the comparatively late date when he brought in his last measure.

GREENWICH PENSIONERS IN GOVERNMENT EMPLOY.—QUESTION.

Mr. GORST asked the Civil Lord of the Admiralty, Whether he is aware that Greenwich Pensioners employed on the hired list of the Royal Dockyard are deprived, while so employed, of their pensions; and, whether he will give such directions as will enable Greenwich Pensioners to work for Her Majesty's Government, as they now may for private employers, without giving up their pensions?

SIR MASSEY LOPES, in reply, said, that the hon. and learned Gentleman was quite correct in the statement that pensioners in Greenwich Hospital were debarred from receiving pensions when employed in the Royal Dockyard. Previous to the Act of 1865 bodily infirmity was one of the conditions of receiving either an in-door or out-door pension at Greenwich Hospital. Since the passing of the Act of 1865 that test was no longer a necessary consideration. There seemed to be no good reason why Greenwich pensioners should be treated exceptionally, and they would in future be treated in the same manner as other naval pensioners, and therefore allowed to receive their pension while working in a Government establishment.

REGISTRY OF DEEDS OFFICE (IRELAND)—THE REPORT.

QUESTION.

MR. M'CARTHY DOWNING asked the Secretary to the Treasury, Whether the Commissioners appointed to inquire into the Registry of Deeds Office (Ireland), have made their Report; and, if so, when it may be laid upon the Table of the House and printed?

MR. W. H. SMITH, in reply, said, the Report upon the office referred to was not the Report of any Commissioners, but of some gentlemen who had been requested to favour the Treasury with their opinions on the subject. It was not usual to lay such a Report upon the Table; but, if legislation were necessary, full information would be given to the House.

EGYPT—EGYPTIAN FINANCE—MR. CAVE'S REPORT.—QUESTION.

MR. SAMUELSON asked Mr. Chancellor of the Exchequer, Whether, inasmuch as the Report of the right hon. Gentleman the Member for Shoreham (Mr. Cave) is not to be made public at present, he will, at any rate, state whether the more complete information now in his possession has induced him to modify, favourably or otherwise, the opinion previously formed by him as to the financial condition of Egypt?

THE CHANCELLOR OF THE EXCHEQUER: Sir, though the hon. Gentleman has not, by the Forms of the House, been able to place his Question upon the Notice Paper in the shape in which he now puts it, I understand it to refer to the expressions used by myself in the course of a speech made six weeks ago, in which I referred to the opinion I had formed as to the financial condition of Egypt. I formed this opinion upon the information which I had at that time privately received from my right hon. Friend the Member for Shoreham. Since then I have seen the full Report of my right hon. Friend, and I see no reason whatever to modify in any way the opinion which I then expressed. Of course, six weeks have elapsed, and six weeks make a difference in the financial position of a country where there are public bonds to be renewed from time to time. In other respects I see no reason to modify or alter the opinion I have expressed. I wish to take this opportunity of referring to something which was said the other night by my right hon. Friend the Prime Minister, who, in answering a Question put to him, used words which I think have been misunderstood. When my right hon. Friend spoke the other day of the "unsettled condition of Egyptian finance," he did not refer to any particular disclosures made in Mr. Cave's Report, but only to what is perfectly well known to the House and to all the world—namely, that the Khedive is endeavouring to make arrangements for the correction of the faults in the present financial condition of Egpyt, but that no decision has been arrived at. I do not believe that the publication of the Report would be injurious to the Khedive; but we are bound to respect his wishes on the subject.

PERU—CREW OF THE STEAMSHIP "TALISMAN."—QUESTION.

MR. GOURLEY asked the First Lord of the Treasury, What steps he intends to adopt for the purpose of procuring the immediate release of the Captain and second Officer of the steamer "Talisman," seeing that, in the Despatches of the British Consul, Mr. March, dated the 28th day of October and the 10th day of November 1875, he informed Earl Derby that the President of Peru had promised to liberate the crew if the Supreme Court of Appeal condemned the ship; and, what measures he intends to adopt for the purpose of obtaining compensation from the Peruvian Government for the enforced impressment of the crew?

Mr. DISRAELI: I have referred to the correspondence, and especially to the two despatches mentioned by the hon. Gentleman, and I am bound to say that I do not think they in any way justify the statement put forward in the Question of the hon. Gentleman. His statement is that Mr. March "informed Lord Derby that the President of Peru had promised to liberate the crew, if the Supreme Court of Appeal condemned the ship." Now, I find on referring to the Papers that Mr. March states that the President promises to release the crew when the Court of Appeal pronounces sentence—a very different statement, as the House will see, from the statement of the hon. Member. The Court of Appeal did pronounce sentence that the ship was good prize; that the captain and mate were to be tried, and that the rest of the crew were to be released. The crew have been released; the trial of the captain and mate is now proceeding, and we are expecting daily, I may say hourly, to hear the result of the trial. With regard to the question of compensation, the whole matter will be put before the Law Officers of the Crown when we receive from our Minister in Peru the statement of the crew and further information.

EGYPT—MR. CAVE'S SPECIAL MISSION.

QUESTION.

The Marquess of HARTINGTON: In explanation of the Question I wish to put, the House will perhaps allow me to point out that the Supplementary Estimate for the expenses of Mr. Cave's mission to Egypt was postponed pending the publication of his Report; and, as we now understand that the Report is not to be laid on the Table, I wish to ask the First Lord of the Treasury, Whether he will fix a day for taking a Vote for the Expenses of Mr. Cave's Mission; and whether he will undertake that it shall be brought on at a convenient hour?

Mr. DISRAELI: I shall, of course, Sir, be anxious to meet the convenience of the noble Lord. Apparently he asks me to give him a day. Now, I will put before the noble Lord and before the House exactly how we are situated, and the noble Lord may then judge for himself as to the decision at which we can arrive. The Government have at their disposal before Easter only five days. One must be allotted to the Budget. One must be allotted to the Navy Estimates, because the House will recollect that, though we have obtained the Vote for Men, we have not obtained the Vote for Wages. Two nights, therefore, must go. I had hoped to devote the other three nights to the Merchant Shipping Bill, because, unless we do so, we shall not be able, as I had hoped, to proceed immediately after Easter with the Education Bill. At the same time, this arrangement of Business depends entirely upon the animus of the noble Lord respecting the Report of Mr. Cave. If, for instance, the noble Lord wishes to propose any Vote of Censure upon the Government with reference to that Report, all our arrangements shall be thrown over instantly, and I will give the noble Lord the first day at our disposal. If, however, he only wants perhaps a preliminary and reconnoitring discussion upon the subject of Mr. Cave's Report, I think the noble Lord will agree with me that, as Tuesdays and Fridays are in the hands of independent Members, considering the great influence which he must possess with his friends, and some influence which I may possess with the House, may be properly used in giving him on a Friday or a Tuesday the opportunity which he seeks. Next Friday there are several Motions on the Paper. I cannot say how they are distributed between the two sides of the House. [An hon. Member: They all proceed from the Opposition.] I understand they are all on the side of the noble Lord. That being so, I shall immediately attend to any suggestion made by the noble Lord. There is a Motion on Friday by the hon. Member for the Kirkcaldy Burghs (Sir George Campbell) upon this subject. I do not think the Motion one which, in the present state of affairs, the noble Lord will commit himself by supporting; but if he can arrange with his Friends for Friday, I will in Committee of Supply on that day have the Vote proposed which he wishes to discuss. I hope this arrangement will meet the views of the noble Lord.

CRIMINAL LAW—DELAY OF JUSTICE —WINTER ASSIZES.—QUESTION.

LORD ELCHO asked the Secretary of State for the Home Department, Whether his attention has been drawn to the following paragraph in the "Times" of the 24th instant:—

> "South Eastern Circuit.—In another case of manslaughter, a man named Breakspeare was charged with the death of a man named Wright, at Watford, the jury acquitted the prisoner. In consequence of the present state of the law the prisoner had this charge hanging over his head for no less than eight months, without the possibility of being brought to trial, the circumstances which gave rise to the charge having occurred on the 31st of July 1875, just after the last summer assizes, there having been no gaol delivery in the winter;"

and, whether he will take any steps to prevent the recurrence of such a case of hardship?

MR. ASSHETON CROSS, in reply, said, he was sorry this man had been kept waiting for trial so long. The usual practice with regard to Winter Assizes had been this—At the end of October a Return was made from all the gaols throughout the country of all the prisoners confined therein, and if six prisoners were waiting for trial in any of them a Winter Assize was ordered to be held. But, as there happened to be only one man in confinement here no Winter Assizes were held. He quite agreed with the noble Lord that it was a great hardship, and before the end of the Session he hoped to be able to submit some measure to the House which would prevent such cases for the future.

POOR LAW—WORKHOUSE SUNDAY SERVICES (OLDHAM).—QUESTION.

SIR THOMAS BAZLEY asked the President of the Local Government Board, Whether it is true that the Guardians of the Poor at Oldham advertised for a religious attendant upon their paupers without distinction of sect at the rate of £20 per annum, that no clergy of the Established Church had applied to be appointed, but that the Rev. Mr. Davies, a Non-conformist minister, offered his services, which were accepted; and, whether he had not declined to ratify the appointment of this gentleman?

MR. SCLATER-BOOTH: The Question of the hon. Baronet scarcely gives an accurate account of what has recently occurred at Oldham. The Guardians, as I am informed, addressed, through the master of the workhouse, a circular to the clergy and ministers of other denominations, inviting them to undertake the Sunday services in succession. The payment of £20 was not to have been in compensation for such services, but was to have been made to the funds of the Town Mission, and that would not have been a legal charge upon the rates. It is true that I have declined to sanction the appointment of Mr. Davies, in accordance with the invariable practice of the Local Government Office, which holds that the chaplain of a workhouse must be a clergyman of the Church of England. This view is in accordance with the opinions given so long ago as when Lord Campbell and Lord Cranworth were Law Officers of the Crown, and was confirmed more recently in the time when Lord Coleridge and Sir George Jessel held the same appointments.

ARMY—ISSUE OF GROCERY RATIONS. QUESTION.

SIR ALEXANDER GORDON asked the Surveyor General of Ordnance, Whether a report in one of the public newspapers is correct, that the Government intend to abandon the practice of issuing grocery rations to the troops at Aldershot and other large stations at home and abroad; and, if so, whether the discontinuance of the practice will not seriously interfere with the facility for supplying grocery rations to an army in the field during war, one of the objects for which the system was established?

LORD EUSTACE CECIL: Sir, on the recommendation of the Field-Marshal Commanding-in-Chief, the practice of issuing grocery rations by the Government is about to be discontinued. As regards the second part of the Question, it is not anticipated that increased difficulty will occur in supplying field rations to an army in the field.

SIR ALEXANDER GORDON gave Notice that on a future occasion he would call attention to the subject.

EGYPT—THE PROPOSED NATIONAL BANK.—QUESTION.

Mr. J. W. BARCLAY asked the First Lord of the Treasury, Whether he will lay upon the Table of the House Copy of the Correspondence between Her Majesty's Government and the Khedive of Egypt, in regard to the appointment of a Commissioner in the foundation of a National Bank in Egypt, or to act as a receiver of part of the revenue of Egypt?

Mr. DISRAELI: It would not be convenient to lay a Copy of the Correspondence on the Table.

CRIMINAL LAW—THE CASE OF JOSEPH HADLEY.—QUESTION.

Mr. PEASE asked Mr. Chancellor of the Exchequer, Whether his attention has been called to a recent judgment of Mr. Ingham, the stipendiary magistrate at the Hammersmith Police Court, in the case of Joseph Hadley, a boy charged by the Excise for using a pistol without having a Gun Licence, when Mr. Ingham is reported in the public prints to have read the definition of a gun in the Act 33 and 34 Vic. c. 57, which says—

> "In this Act the term 'gun' includes a firearm of any description, and an air gun or any other kind of gun from which any shot, bullet, or other missile can be discharged,"

and then dismissed the boy, on the grounds that a pistol was not a gun within the meaning of the Act, as "all the provisions of the Act applied to guns and not to pistols;" and, whether he has made any representations to the Home Office on the subject?

The CHANCELLOR of the EXCHEQUER, in reply, said, so far as he understood the ground on which the boy was discharged from custody, it was, not that the article in question was not a gun or pistol, but that it was a toy. Anyhow, the Board of Inland Revenue were dealing with the matter.

MERCHANT SHIPPING BILL—[Bill 49.]

(*Sir Charles Adderley, Mr. Edward Stanhope.*)

COMMITTEE. [*Progress* 23rd *March.*]

Bill *considered* in Committee.

(In the Commitee.)

Clause 3 (Sending unseaworthy ship to sea a misdemeanor).

Mr. PLIMSOLL, in rising to move, as an Amendment, in page 1, line 13, before "ship" to insert "British," said, he felt profound thankfulness that the opportunity had arisen for him to state to the House some of the terrible evils from which the Merchant Service was suffering, and he trusted that as the issue now before them was the vital part of the Bill, it would receive the calm consideration which it deserved. Before he should lay the evidence in favour of his proposition before the Committee he felt bound to correct a very serious misapprehension. Once in Committee that Session and once at the close of last Session the President of the Board of Trade stated that he (Mr. Plimsoll) was perpetually changing his ground, and that at the outset he had distinctly asked for a Government survey of the whole Mercantile Marine of this country. No doubt the right hon. Gentleman spoke in perfect good faith, but nothing could be wider from the fact. If the right hon. Gentleman would look to any one of the series of Bills which he had brought forward on this subject, he would find that it was nothing more than "a survey of unclassed ships" which was constantly referred to. He would enable the Committee to judge of the scope of his Amendments by repeating the instructions he had given to the able counsel by whom they were drawn up. He called his attention to Clause 3, and pointed out to him that the object of the clause was to prevent the sending of unseaworthy ships to sea; that his object was identical with that, but that there the similarity ceased, because the Bill proposed to accomplish the object in view by threatening punishment to those who sent unseaworthy vessels to sea, whereas the object of the Amendment that he wished counsel to draw was to prevent an unseaworthy vessel being sent to sea at all. He did not know whether the President of the Board of Trade omitted the word "British" intentionally or not. He supposed unintentionally, for if the omission were intentional, it would in effect amount to legislation for foreign ships in our ports, which at present it was not desirable to undertake. He did not deny that the House had a perfect right to legislate for foreign ships in British waters; but he doubted the judiciousness of such legislation at the present juncture. They would, he had no doubt, have ultimately to legislate for foreign ships, because it would be unfair to British ships to impose restrictions on them as regarded deck-loading and grain cargoes and leave the foreigner without any restriction, as that would expose our shipowners to an unfair competition, which was very far from his intention. He thought it well to pull the beam out of our own eye before attempting to pull the mote out of our brother's eye. His great object in the Amendment of which he had given Notice was to prevent rather than punish. We had experience of the latter mode—threatening punishment. The result of legislation of that kind was that in two years and a-half we had succeeded in obtaining three convictions. There had been six trials and only three convictions; but 15 cases analogous to those in which convictions had been obtained were taking place daily, so that the whole time of the Judges might be taken up with them. That would be a most costly mode of proceeding. In how few cases could convictions be obtained! If an unseaworthy ship was lost at sea, no conviction would be obtained, because the evidence on which alone it could be obtained was at the bottom of the sea. If, again, the vessel made her voyage without disaster, no prosecution would be instituted from the simple circumstance that the voyage had been made in safety. As the President of the Board of Trade had asked on a former occasion, Would they punish a man for having carried his ship safely? It was only by the rarest accident they could obtain such evidence as would carry a conviction. The method of proceeding by threatening punishment was also open to this objection—that the zeal with which the law was administered depended on very varying influences. Much would depend on the amount of excitement that might prevail on the subject. If the tide of public opinion should ebb—though, thank God, it had not yet begun to ebb—the executive energies of the Department would be paralyzed. The same remark would apply to the outports. It was not always, even when evidence was at hand, that a prosecution was instituted. The Board of Trade daily condemned vessels as not fit to go to sea which were afterwards broken up, and there must have been the means of prosecuting the owners of many of them. Why was not that done? Simply, he believed, because they were so numerous. As to the condition in which many of those vessels were which were broken up by the Board of Trade, he would read a letter dated the 16th of March; but—that the subject might be discussed with good temper—without naming the writer, the seaport from which he wrote, or the name of the vessel. He believed the letter described correctly the state of things, when it stated that the fishermen, seeing the rotten condition of the hull, asked the parties if they wished the loan of a spade to dig her to pieces. He himself saw four men pull away one-half of her fore-quarter with a rope, without any assistance but their own hands. Another objection to the theory of threatening punishment was, that it exposed the respectable shipowners—who were the great majority—to very great uncertainty and indefinite liability; whereas, under the system he recommended, action was limited to the cases in which interference was necessary. It was also better to prevent a disaster than threaten to punish the author of it. Instead of three cases in which convictions had been obtained, according to the nearest calculation he could make, and he thought it was near the truth, there were something like 3,500 unseaworthy vessels sent to sea; would it not be much better to prevent these when the great result might be accomplished without any interference with respectable men? His system would be not only far more efficacious, but also far less costly, and would compare exceedingly well with the three convictions the Board of Trade had effected. The survey of vessels ought to cost the country nothing. Three-fourths of the shipowners of this country paid voluntarily to have their vessels surveyed, and he certainly would not do gratuitously for a bad man what good men were ready to pay for. Again, the proposed remedy of the Bill was contrary to all the legislation of past years. Factory owners were not threatened. The law did not say that unless they boxed off their machinery, so that the people could work under certain conditions of safety, they would be guilty of misdemeanour. No; the Inspector was sent into the mills, and if he found any defect he ordered it to be attended to. Then, too, if inspection were made general, it would cease to be invidious.

He wanted the law to deal with shipowners as it did with factory owners. He wanted it to lay down the broad principle that sailors were as much entitled to the protection of their lives as any other class of Her Majesty's subjects, and that no man ought to be expected to go to sea in any ship of which he had not some assurance that it was seaworthy. The State could undertake that either *per se* or *per alium.* While accepting the duty, it was not necessary that the Government should discharge it. They might employ other agencies. In taking security for the qualifications of medical men, and in providing for the extension of elementary education, we did not ignore existing agencies. So in this case, if we conceded that sailors had equal rights to the protection of the law, we might either survey ships or accept the survey of Lloyd's. In mentioning that alternative, he did not wish to be the advocate of any particular institution; he simply wished to show how we might bring within reasonable compass the efforts necessary for securing the seaworthiness of every sea-going ship. There were in operation at Lloyd's two opposing influences; the shipowners sought economy and the underwriters efficiency, and these two interests were fairly balanced, as vacancies were filled up by elections from each alternately. So far as he could learn, Lloyd's possessed the confidence of all shipowners and shipbuilders at home and abroad, excepting, of course, the shipowners who would not expend sixpence on a ship if they could help it, but who covered themselves with ample assurances and awaited the result, knowing that they were pecuniarily safe, whatever happened. There were 9,000 ships on the books at Lloyd's, and 900 on the Liverpool book. At present all steamers carrying passengers, and all vessels carrying mails, were surveyed; and, as it was not necessary to do the work twice over, the deduction of these would reduce the work of survey to manageable proportions. He estimated the number that required survey at 3,500, and believed that the work could be done by the Board of Trade—at all events, with assistance; and the President of the Board of Trade had already consulted Lloyd's, who had expressed their willingness to assist the Government in an emergency. His Amendment could not come into operation until January, 1877, and he had very little doubt that the number would be very considerably reduced by the fact that survey was about to be made compulsory. As soon as the House had made up its mind that there should be a compulsory survey of rotten ships there would be a great stir, many owners would seek classification, and he would venture to predict a decrease of one-fourth or a fifth in the number would take place, for their owners would either make them seaworthy or break them up. With respect to the 3,500 ships, he could speak with tolerable precision as to the condition of more than one-half. He could assure the House that there were 1,894 of them standing in urgent need of a survey, and, altogether, there were 2,005 that were disclassed. To that large number of disclassed ships there remained to be added a great many bad ships that had never been classed at all, and a considerable number of vessels under 100 tons which stood in the same category. He maintained that it was not only possible, but easy, to survey all these ships. The longest term for which a character was granted was the full time that a ship could be expected to be seaworthy; it was surveyed regularly from year to year, each year with increasing severity, until half the term was passed, and then there was a special survey. It rarely or never happened that a ship could pass the full term without being in need of repairs that were absolutely essential to safety. The time for the survey of most of the ships he was speaking of was very considerably overdue, and many of them required immediate attention. The classes at Lloyd's included vessels that were fit to carry tea, silk, and precious goods to any part of the world; next those that were fit to carry these articles on short voyages; next those that were fit to carry ore and coal to any part of the world; and, lastly, those that were fit to carry ore, coal, and goods incapable of injury by contact with salt water along the coast; and when a vessel had run through all these gradations, with occasional restitutions from a lower to a higher grade, it could not be denied that she required to be overhauled. The practicability of carrying out a survey was affirmed in a letter to *The Times* last week by the highest living authority, Mr. Lindsay, whose absence from the House was now specially to be regretted; and although Mr. Lindsay had qualified his first letter by one published that morning, the qualification was due to a misapprehension, for it was only asked that unclassed ships should be surveyed. His views were also supported by a Petition from Bristol shipowners, who suggested that seaworthiness would be secured by survey and Lloyd's classification. The Chamber of Commerce of Newcastle and Gateshead recommended that there should be inspection of all sailing ships unclassed at Lloyd's or at Liverpool, and urged that, while boats and lights were looked after, it could not be of less importance to take security that a ship itself was seaworthy. They stated further that it was much better to prevent the sailing of unseaworthy ships than to punish the shipowner after they were lost. The Town Council of Leeds had also presented a similar Petition. There had also been a great meeting of the Associated Chambers of Commerce held in the Westminster Palace Hotel. The first resolution they passed was that a periodical inspection of sailing ships and steamships that were unclassed at Lloyd's or elsewhere should be compulsory. The second resolution was that, owing to frequent losses of vessels at sea, the attention of the Government ought to be given to the subject, with a view of fixing the maximum load-line. Among the Chambers of Commerce represented at that meeting were those of Dundee, Newcastle, Gateshead, West Hartlepool, Hull, Goole, Southampton, Exeter, Plymouth, Gloucester, Bristol, and Cardiff. The resolution of the Associated Chambers of Commerce described the same ships as he wished to include, and he preferred, indeed, their words to his own, because they effected the object in a manner less open to objection than his own Resolution. It might be asked how it was, if all the Chambers of Commerce were in favour of what he proposed, that there had been so much opposition during the last year or two? The explanation was very simple. The respectable shipowners knew the condition of the Mercantile Marine, and they had disapproved all along that which he had condemned. A good many who were not respectable also joined, in the first instance, in the movement, because it was respectable to do so. In 1873, however, when their own proposals were put in the form of the clauses of a Bill, and there was a chance of their being carried into law, it became a very different matter, and a violent activity was awakened on the part of every man who had a ship of doubtful seaworthiness. Opposition then arose, and the latter of the classes he had referred to, induced the former to join in it. The House, however, ought not to proceed in any vindictive manner, but it was bound to correct these evils. They were not likely to forget the importance of the shipping interest, and they were all as much interested, indeed, in the prosperity and well-being of the Commercial Marine of England as the shipowners themselves. A fact had come to his knowledge which showed how generally the survey of Lloyd's was accepted, and which would assist the Committee in forming a judgment upon the question. From a Return which he had just obtained, it appeared that the number of ships which were being built for classification in the ports of the United Kingdom on the 31st of December last was 489; the number which were being built at the same time not to be classed being only 39; while, of the 489, no fewer than 478 were being built under Lloyd's survey, leaving 11 under other surveys. Another fact would show the efficiency of the survey. He had made careful inquiries as to the ships which had been seized and broken up by the Board of Trade, and he found that in the long list of the vessels destroyed during the last two years there was not a single ship amongst them which had been classed at Lloyd's. Another significant fact was that 22 vessels which had been proved to be unseaworthy had been decided to be in that category on the complaint of the crew. Of these no fewer than 19 were found to be unclassed. A third consideration was the constitution of Lloyd's, which was not a proprietary body, or a company having a capital available for dividend, but a body representing the interests of shipowners and underwriters, and which adopted a scale of charges for surveys not more than adequate to the payment of the very able men it employed. After careful consideration, he had arrived at the conclusion that the proposals he had put on the Paper could only prejudice the respective shipowners in one way—

namely, by spoiling the market for the sale of their worn-out ships. It would not be right to allow those ships to be sold; and in a letter bringing out that point, which he wrote to the shipowners assembled at the Westminster Palace Hotel, before the opening of the Session, he drew their attention to the fact that they would be recouped by the fairer terms they would obtain as shipowners in competing with the unscrupulous persons who would otherwise buy these worn-out ships. That letter was debated for four hours, but no hostile action was taken upon it. The proportion of the unclassed ships lost at sea as compared with that of classed ships proved, in his opinion, the desirability of accepting the proposal he had made, and in reference to it, a report which he had had prepared last July or August stated some facts which were worthy of consideration. The report was very voluminous, and was most carefully prepared. It showed that the total loss of British ships of 100 tons and upwards was in 1874, according to the Board of Trade Return, 593, of which number 181 were classed at Lloyd's and 412 not classed. The proportion of ships which foundered was 1·68 per cent of ships classed and 326 of ships not classed; while the proportion of losses during the first six months of 1875 was 1·3 per cent of ships classed, and 225 per cent of ships unclassed. Well, there sprang up a system of insuring, not only at Lloyd's, but at clubs; but, after a time, the clubs had to assert themselves—some clubs insuring unclassed ships and others classed ships. An excellent illustration of the result was to be found in the evidence of Mr. J. Reilly, of the firm which had the management of seven of those clubs. They had a capital of £1,580,000, and had 400,000 tons of shipping protected. Of the seven clubs, five dealt only with high-classed vessels, and the result was as follows:—The Thames collected from its members £3 5*s*. per cent; the Standard, £4 14*s*. 3*d*.; the Imperial, £4 18*s*.; the Reliance, £5 8*s*. 8*d*.; and the Oriental, £5 11*s*. The five, therefore, collected from their members, as the actual result of business done for losses, an average of £4 15*s*. 6*d*. per cent. The average collected by the club which dealt only with unclassed ships was £13 9*s*. 1*d*., or nearly three times as much. He saw in *The Times* a few days ago a remarkable letter, from a gentleman who was unknown to him, and who showed great knowledge of the whole subject. The writer quoted the case of the clubs, and among them referred to the Star and the Sun, which dealt with unclassed ships, and each of which collected no less than £21 10*s*. per cent per annum; and also to the Wear Mutual Insurance, which, after collecting from its members 20 per cent, collapsed after a year in which the sum reached no less than 26 per cent. Those figures showed that if they subjected unclassed ships to some survey, the losses would be reduced to one-third the present amount, and the loss of life at sea arising from unseaworthiness would be diminished enormously. But it would be said—indeed, one hon. Gentleman was always saying it —"If you pass the Amendment, you will destroy the shipowner's responsibility." He contended that they would do nothing of the kind. On the contrary, they would establish the shipowners' responsibility. What he asked the House to do was, to act upon the responsibility of the shipowner to repair his ships. Thus they would develop his responsibility from fiction into fact—from an abstract into a real responsibility. What the Bill said was, in effect, this—"If you send an unseaworthy ship to sea, we will try to punish you." What the Amendment said was—"We will not let you send an unworthy ship to sea;" and if they said that, they would turn the shipowner's responsibility from shadow into substance. It was perfect nonsense to talk of holding the shipowner responsible, when he had done all that human care and foresight showed to be necessary; and after his work had been examined and approved by experts he ought to be free from responsibility and a great deal of the vexatious interference to which he was at present subject. So was it also as to the load-line. If that were adopted, it would relieve the shipowners from a great deal of responsibility, and from much vexatious interference to which they were now subject. What had this existing "responsibility," of which so much was said, done for us? It had given us four poor men in gaol, and let many ships remain out of repair and go to sea in a notoriously unseaworthy state. If the Amendment had been law during the last two years instead of the clause, it would have sent not three or four poor wretches to gaol, who, after all were not worse than hundreds of others outside who were not touched, some of whom occupied high places, but it would have prevented 3,000 ships going to sea in a state disgraceful not only to the owners, but to a Christian nation. The experience of the Cunard Company showed what would have been the result; so also did that of Messrs. Thompson and Co., a Scotch firm, who during 35 years out of 30 vessels had only lost one, and never insured for a penny; so also with the experience of the Indian Government, who had for the last 23 years chartered more than 200 ships per annum for the carriage of Government stores, and the ships being surveyed, had only lost two during all that time. He had studied to be moderate in his language, he had carefully avoided any irritating mention of individual names, and he had endeavoured, by a strong effort, to suppress his feelings, and speak with calmness on matters which moved him profoundly, exciting in his mind a degree of hope and eager desire to which the panting of "the hart after the water brooks" was but a fleeting emotion. He had done so, because he desired to bring before the House a calm and careful consideration of the question, hoping that it would be sufficient to urge upon the House the course which, in his opinion, it ought to pursue. But he could not close his observations without reminding the House that the lives of hundreds of brave men were in the balance, and asking them to save those lives and to give to them the benefit of legislation such as the House had to its credit bestowed upon other classes of Her Majesty's subjects. Let the House remember that the life of a seaman was one of peril and much labour. It was a life of short enjoyment, which was too often a foolish abandonment to self-indulgence; but every one of them, no matter how tipsy when ashore, was too good to be drowned, if such a fate could, as it might, be prevented. If he forebore to speak of the pecuniary loss to the nation involved in the dreadful shipwrecks that took place, or the usefulness of seamen to everyone of them, and how necessary they were to the comfort and prosperity of the country, and how in certain events they might become necessary to the nation's life; if he had not referred to those considerations it was not because they were not true, but because he had never doubted the existence in that House of the sufficiency of that best love to God which consisted in love to man, and which would put an end to a wrong when once its existence had been demonstrated and the manner of redress had been made plain. Having said thus much, he would move the first of the Amendments of which he had given Notice.

The CHAIRMAN said, he had not interposed to stop the hon. Gentleman while speaking; but he must now say he had been addressing himself to the Amendment which followed the present one. It would not be in Order that a general discussion should ensue on the introduction of the word "British."

Question, "That the word 'British' be there inserted," put, and *agreed to.*

Mr. PLIMSOLL moved, as an Amendment, in page 1, line 13, the insertion after the word "sea" of the words "from any port in the United Kingdom, contrary to the following provisions of this section."

Amendment proposed,

In page 1, line 13, after the word "sea," to insert the words "from any port in the United Kingdom contrary to the following provisions of this section."—(*Mr. Plimsoll.*)

Sir CHARLES ADDERLEY said, he was anxious to rise as soon as possible after the speech of the hon. Member for Derby, in order that he might make it clear to the Committee that the point raised by his Amendment was one on which the Government were at distinct issue with him, and on which there could be no possible compromise between them. That Amendment, if carried, would not only be fatal to the Bill, but would indicate a policy, in his (Sir Charles Adderley's) opinion, productive of the most mischievous consequences to the commercial interests of the country. Before he went further he must express his regret—a regret in which he was sure the Committee would sympathize with him—at having lost his right hand in the discussion, by the illness of his hon. Friend the Parliamentary Secretary to the Board of Trade. The hon. Member for Derby and the Government were at variance on principles. The difference was not between prevention and cure, as stated, but between two principles of prevention. One principle was prevention of mischief by Government conduct of private enterprize, while the other was prevention by judicial liability of those who undertook such enterprize for themselves. The question was fairly put in a recent letter, doubtless written under the inspiration of the hon. Member for Derby, in which it was proposed for debate whether unseaworthy ships could be prevented from being sent to sea in a state dangerous to human life, by making those who sent them responsible for the act, or by making shipowners obtain a certificate of the seaworthiness of their ships from some other quarter. The hon. Member preferred the latter plan, and therefore proposed that every British ship should on clearing outwards obtain a certificate of her safety in hull, equipments, and machinery, excepting from the operation of his proposal two lines of ships—the Cunard and Peninsular and Oriental—and that the certificate should be obtained from Lloyd's Register, or the Liverpool Register, or the Board of Trade. He would say nothing at present of the invidious distinction made in favour of two particular lines of ships.

Mr. SULLIVAN wished to explain that this part of the proposal was not intended to be adhered to. ["Order!"]

The CHAIRMAN said, the hon. Gentleman might, by the courtesy of the Committee, explain an intention of his own, but he could not state the intention of another hon. Member.

Sir CHARLES ADDERLEY said, that the hon. Member for Derby had frequently been obliged to alter his proposal, finding that every time he attempted to put it into form it was wholly untenable and impracticable. He, in common with every one, fully sympathized with the general object of the hon. Gentleman; but he thought he should be able to show that the hon. Gentleman's proposal would have the effect of increasing loss of life at sea, while the plan of the Government, however imperfect, would be much more likely to secure the object which they all had in view. The hon. Gentleman had based his argument for external guarantee on two grounds—the recklessness of a certain residuum of shipowners, and the number of owners—the number was stated in the letter to which he had referred as 9-10—who knew nothing about the seaworthiness of their ships. The hon. Gentleman somewhat inconsistently contended that the certificates which would have to be given by the Board of Trade by way of supplement to those of the Register of Lloyd's and Liverpool would be very few; but did he suppose that although the number of Government certificates might at first be small, it would continue to be so? The Government certificate could only be a minimum pass, for they could not undertake a gradation of several degrees of classification as the Register Offices did. All they could do would be to say that the ship was safe as to her hull, equipment, and machinery, and in regard to those to give a certificate to the effect—"We can give you a pass." These certificates, no doubt, would be the easiest to get; and he apprehended therefore it was unlikely the shipowners, whose only object in using certificates was to get insurance and freight on the best terms, would continue to get them from Lloyd's and Liverpool, where they would get the same with more difficulty and not gratuitously, but with expense. But suppose the plan of the hon. Gentleman led, as he expected, only a small number of ships to be certified by the Government, they would consist partly of the best ships, which did not now register at all, and did not require to be certified, and partly of the worst, which were the very ships which the Government plan of police provided for. But the right way for the Government to deal with these worst ships was to look out for them, and prevent them from going to sea, and why should the hon. Gentleman harass the best ships in the country in order to get the worst into his classification? On general principles the Royal Commission concluded that the mode proposed in the Bill for giving the Government more stringent power to stop offenders on the principle on which they had always hitherto acted, and not any attempt to certify all ships, was the right mode of dealing with this subject. He submitted, as he had before observed, that this plan of action by the Government was not only the best for dealing with this question, but that it was the ordinary mode of Government action in this country. In other matters the Government did not search every honest man, in order to catch offenders; but the principle was to lay hold of malefactors, and to leave all men to manage their own affairs, under the necessary conditions of responsibility to others for the consequences of any carelessness or neglect on their part. Why should the Committee be asked to make an exception in the case of the most vital and sensitive interest of the country—one which had to carry on active competition with foreign countries—and interfere with its management and freedom in order to effect the safety of those engaged? The way to make ships safe was to make shipowners careful, and to make them answerable for their carelessness. The Royal Commission stated that the Government could hardly take a more efficient step to ensure the safety of British ships than by standing out of the way of the responsibility of their owners. The hon. Gentleman argued that a Government certificate would not supplant, any more than Lloyd's Register did, the shipowner's sense of responsibility. But there was a great difference between the kind of motive for obtaining and keeping a high class at Lloyd's and the motive for getting a Board of Trade pass to enable an owner to send his ship to sea with a Government stamp upon it. There was no doubt that a certificate of any sort did somewhat diminish carefulness, and why, then, should we extend the mischief by adopting a system that would tend to destroy what amount of carefulness had been left from the effects of the system of insurance? It had been said by the hon. Gentleman that the Government inspection of mines and factories was a similar thing to the proposed Government inspection and certificating of ships. But that attempted parallel told strongly against the hon. Gentleman, because, in the case of mines and factories, it was an inspection for the purpose of ascertaining whether certain legislative requirements had been carried into effect, and not a prescription by Government of any mode of working or standard of safety. The whole issue between the two plans exactly lay in that distinction. It was right that the Government should see that Parliamentary requisitions should be carried out; but it was not for the Government to say what the conduct of private enterprizes should be, or to interfere with or prescribe the mode in which they were to be carried on. His opinion was that the tendency of the present time was too much in favour of Government inspection. In regard to mines, for example, it was a question whether the system of Government inspection had effected its object. He was sure it had increased the cost of minerals to consumers in the country. The growing system of universal Government inspection was contrary to the genius of this nation, and if it were extended much further, we should soon lose that which had been the secret of the vigour and strength of the country—namely, its self-administration. Again, the proposal for a Government certificate of the construction and equipment of ships was not of so simple a nature as the hon. Gentleman represented it to be. That the Government should fix a standard and formularies in the progressive art of shipbuilding would be a fatal proposal. No art was more progressive at this moment than that of shipbuilding, but the effect of the proposal would be to paralyze invention and adaptation to the requirements of progress. Many disasters now arose from the still imperfect knowledge of steam navigation, and at such a time it would indeed be infatuation for the greatest maritime country in the world to allow its Government officials to prescribe the conditions of safety for ships, their construction, equipment, and machinery, instead of leaving the shipping interest to find out and strain every effort to adapt the art to its best effectiveness. If we took such a course, we should allow other nations with less maritime genius, though, perhaps, more scientific ingenuity, to compete more advantageously in the race with this country, while our shipowners and shipbuilders were kept looking to meet Government rules, instead of freely consulting their own interest in the conduct and improvement of the art. The maritime genius of this country in no more remarkable way showed its indomitable vitality than in its resenting and overcoming the evils of Government interference. The tendency of official surveillance was the paralysis of improvement. Government officials could not be improvers, as they must enforce specified rules, and often act against the better judgment of the profession. What class of surveyors could the Board of Trade secure, even by increasing unlimitedly the present expenditure, who would be qualified to overrule the judgment of the engineers employed by shipowners, or by Lloyd's, and the shipowners' clubs? A provision of this kind must be part of any plan even for surveying the worst ships. But you could not stop at the worst; you must include the better ones also. Nor could you stop at mere repairs of hull; you must look into machinery and equipment. The survey of passenger ships was already doing harm; the Royal Commission proposed to restrict it to sanitary purposes only, and to have no survey of hull, equipment, or machinery. In this matter we should take warning by the experience of other nations. There were only three or four countries, and those the least maritime, in which there existed such a system of survey as was suggested by the hon. Gentleman, and it was confessed to be in every case there a sham. A survey, to be worth anything, should be made during construction, and the hull inspected when empty; but the proposal of the hon. Member necessarily was for a Government certificate on every voyage at clearing, which was wholly different from Lloyd's, though proposed to be in partnership. So much for the general principle, now for the details, respecting which, he was happy to see that the hon. Gentleman, despairing of a general Government survey, and allowing that the Government could not survey all ships, had changed his plan.

Mr. PLIMSOLL denied that he had changed his plan. He had always asked, in every Bill that he had brought into the House, that the unclassed ships should be alone dealt with, and that Lloyd's and the Liverpool registries should be accepted as evidence of seaworthiness.

Sir CHARLES ADDERLEY said he was very glad that they were to be rid of that chimerical idea; that the hon. Gentleman had finally despaired of the Government being able to certify all ships; and that he was willing to use existing machinery, such as Lloyd's Registry and the Liverpool Underwriters' Registry for iron vessels, and leave any ships unclassed by them that the Board of Trade might, by orders to be published in *The London Gazette*, from time to time declare to be exempt. But could the hon. Gentleman gravely ask Parliament to declare that there should be only two authorities to a partnership with Government on this subject of registry of vessels? How were Canadian ships to be excluded from the *Bureau Veritas?* That was the registry used by the greater part of the shipping of Canada; he might mention that no part of the British Empire was so sensitive against the plan of the hon. Gentleman as the Dominion, yet the hon. Gentleman proposed to ignore the association in which the Dominion ships were generally classified. They had expressed in their Parliament, and in strongly-worded Correspondence with Government, their resentment of legislative interference with shipping. Did the hon. Gentleman in the next place persevere in proposing that the Cunard and Peninsular and Oriental Steam Packet Companies should be specially exempted from interference, in disparagement of various lines which were in competition with them, and were all the other great lines of ocean-going steamers to be placed on a lower and suspicious footing? Were they to say that these two companies were so superior to all others, and that others were by Parliamentary stigma comparatively inferior? How long would it take for such an untenable plan to resolve itself into a wild undertaking of general Government supervision? Every step that the hon. Gentleman took to develop his plans seemed to lead him into more and more confusion. While the Government were to avail themselves of the existing machinery of Lloyd's and the Liverpool registries, were they to go partners with these private associations? Were they to do the same thing—for instance, settle at the yearly re-survey what damage was due to the underwriter, and what to the shipowner? Or were the associations to be subservient agencies to the Board of Trade? After all, the hon. Gentleman proposed to leave to the Board of Trade intact its present functions of detaining unseaworthy ships, so that he evidently distrusted his plan of catching the residuum of unclassed ships even by worrying all the rest; and he gave an ultimate appeal to the Board of Trade on all points. The hon. Member said that prevention was better than cure; but he thought he had shown that the question between them was as to two modes of prevention, one ineffectual by official surveillance, the other very effectual by judicial liability. The latter principle was the more usual, and the sounder principle. Prevention of abuses through the medium of Government control, whether alone or in partnership with private associations, as suggested by the hon. Member, even if it could be made effective, was antagonistic to the spirit of private enterprize in this country, and would be fatal to its growth. He maintained that the Bill of the Government was not only adequate to meet all cases of complaint, but it established the responsibility of shipowners for the proper conduct of their own business, and it would bring into operation the only effective check on recklessness and hazard of life.

MR. E. J. REED said, that after having listened to the speech of the right hon. Gentleman, he felt that they were still as far as ever from a settlement of the question; for it seemed so contrary to the conditions under which they were discussing the subject, that he confessed he had heard it with considerable astonishment. Who would surmise, when the right hon. Gentleman ended by deprecating Government interference with private enterprize, that he had been speaking in favour of a Bill which empowered the Board of Trade to detain a ship provisionally for the purpose of being surveyed, and that when she had been so detained, the Board of Trade might order some competent person to report thereon—a Bill, in fact, for the express purpose of doing, after the fashion of the right hon. Gentleman, the very thing which he had just said it was most improper for the Government to undertake. He did not understand the position which the right hon. Gentleman took. The only difference between the Bill of the right hon. Gentleman and the position of the hon. Member for Derby (Mr. Plimsoll) was this—The hon. Member observed that a large proportion of sea-going ships in this country were already dealt with by frequent surveys for the purpose of determining their seaworthiness, and were so dealt with in a manner satisfactory to the owners, to the underwriters, and to the public. But there was another class of shipping, part of which had been withdrawn from the survey on account of age; part, also, because their owners thought they knew a great deal more about those matters than anybody else; and part, also, because it was admitted that there were owners who could carry on their business in a manner perfectly profitable to themselves, but at great sacrifice to the public. That being the case, the hon. Member for Derby founded his proposals upon these facts. On the other hand, the Government did not say—"We decline to survey ships and determine their seaworthiness." They undertook the duty, but, instead of taking the initiative, waited till somebody brought to their notice the fact that a ship, alleged to be unseaworthy, was proceeding to sea; and then the Government, who now said it was not their duty to do those things, readily and cheerfully stepped in and did it. All that the hon. Member for Derby desired was, that the Government should carry on the survey, which they were willing to undertake, under suitable and favourable circumstances, instead of waiting for the worst and least favourable occasion that could present itself for the purpose. When a ship was filled with coals, cargo, and machinery, it was evident that a survey could not be so favourably conducted. The Government could not consistently take up the position that it was no part of their duty to examine into the condition of a ship. The right hon. Gentleman had referred to coal mines; but he would refer to railways, which the Board of Trade would not allow to be opened for traffic, until they were surveyed by an Inspector. The right hon. Gentleman seemed to make merry over the idea that shipowners knew less about their ships than other persons. But one thing was perfectly obvious, and that was this, whatever knowledge of their ships the owners might possess, it was a knowledge upon which the greater number of them did not presume to act, because they put their vessels out of their own hands into the hands of Lloyd's or the Liverpool Association, in order to give the underwriters and themselves greater security. But if he could not understand the position of the Government, still less could he understand the position of shipowners, who gave their support to the Government in this matter, for if the hon. Member for Derby sought to chastise them with whips, the Government sought to chastise them with scorpions. For the Government said—"We will make no inquiry into your *bona fides*, but will consider you guilty of a misdemeanour for sending an unseaworthy ship to sea, unless you can clear yourselves of that serious charge." Many cases might arise in which this system would bear most injuriously upon shipowners. Let them take, for example, the screw shaft. It was not at all uncommon for that part of the engine to be defective. Under the proposal of the hon. Member for Derby the owner would have the screw shaft brought systematically under the notice of the Inspectors from the moment the defect was first discovered, until the shaft was condemned. But under the Government plan, even if the defect in the shaft appeared to them innoxious, if some interested person informed them that the ship was unseaworthy, it would be stopped, and the owners would have no redress whatever. What was desired in this matter was, to enable Government to see that every merchant shipowner should produce some reputable certificate of seaworthiness of his vessel. If the Amendment of the hon. Member for Derby was carried, a great many owners would go at once to Lloyd's who did not go now; a certain number would go to the Liverpool Registry office who did not go now; and if the right hon. Gentleman was afraid to give to Lloyd's or the Liverpool Association too great a prestige, let there be a greater number of surveying bodies established. He was sorry to hear the right hon. Gentleman say that this was a question on which there should be no compromise. He would ask the Committee to consider whether, in the present state of public opinion on this subject and its probable future state, the country was likely to be satisfied with the right hon. Gentleman's proposal? There was one part of the speech of the hon. Member for Derby to which no reply had been given. He had shown that a great number of unseaworthy ships were constantly sailing from our ports, and that, in consequence, a great number of lives were sacrificed. The right hon. Gentleman did not pretend that his Bill would put a stop to that sacrifice. If the Bill should pass, many unseaworthy ships would continue to go to sea as they had hitherto done, and it was only one in 500 who would suffer from sending them. The right hon. Gentleman had said that the proposal of the hon. Member for Derby was "a folly, an infatuated folly, a most infatuated folly." He should be sorry to say anything offensive to the Government, or the right hon. Gentleman; but if the right hon. Gentleman believed that his solution of the difficulty would be final, it seemed to deserve more than his hon. Friend's proposal to be called "an infatuated folly." He had no hesitation in saying that the proposal of the hon. Member for Derby was a perfectly practicable and reasonable one, and one which could be carried out with greater advantage by the Government, and at much less expense than the present system. Hon. and gallant Members opposite would not mistake him, when he said that navigating officers were not fitted to make detailed examinations of the hulls and engines of ships with the view of ascertaining whether they were seaworthy or not. The merchant captains, whose appointments the right hon. Gentleman was multiplying for the purpose of carrying out the provisions of the Act of last year, knew no more about the hull and engines of a ship than did the majority of hon. Members in that House, and they were laughed at in some of the ports for the ignorance they displayed of the subject. That such was the case had been clearly shown in the report of a trial of an action against the Board of Trade which had recently appeared in *The Times*. In the inspection of the details of a vessel it was absolutely necessary to have technical knowledge; and, if the present system of appointing men who could not by any possibility perform their work went on, he (Mr. Reed) should bring a Resolution before the House, because he considered it was scarcely consistent with good faith towards the House, that the Government should pass a measure taking power to survey ships, and then appoint men who did not understand the subject. Doubtless, the right hon. Gentleman would reply to his observations that, for the purpose of rendering the surveys efficient, he always associated with the navigating officers men who had a thorough knowledge of the hull and engines of a ship; but the result of that course was, that the men who knew nothing of their duties had large salaries, while those who had a technical knowledge of the subject, and who did all the work, received very little for their services. He trusted the Government would not take the resolute ground which the right hon. Gentleman opposite had assumed, and that the course of the debate would show him that the Motion of the hon. Member for Derby was a moderate and reasonable one, and that by its acceptance the great agitation throughout the country on this question would be stilled, and shipowners would find themselves placed under a proper system of control, instead of occupying somewhat the position of criminals.

LORD ESLINGTON said, that hon. Members had at least the advantage of having a very distinct issue raised before them, and they had to choose between two distinct policies, that of the Bill and that of the Amendment. For himself, he ventured to oppose the policy of the hon. Member for Derby upon two grounds: first, because it was unsafe; and second, because, if adopted, it would be destructrive of all improvement in the construction of ships. The House ought to attach some weight to the considerable experience as to the value of official surveys which we happened to have had. According to the evidence given on the subject before the Royal Commission on Unseaworthy Ships, by a French gentleman, M. Bal, who had held the position of director of the *Bureau Veritas* for 40 years, and had had an additional experience of 25 years with a large underwriting association, the official surveys of merchant ships practised in France, Belgium, and Italy were always superficial, and had now become mere formalities, to which Underwriters attached no value whatever, it only being necessary when the official visit was made to conceal the defects temporarily in order to obtain a certificate. The worst result of these Government surveys was, that the moment the Government certificate was obtained there was an end of the responsibility of the shipowner; because, however unseaworthy a vessel might be when she sailed, no jury would convict the owner in the event of her loss through unseaworthiness, if he held a Government certificate that she was seaworthy at the time of her leaving port. The effect of these official surveys, therefore, was to take the whole responsibility from the shipowner and to transfer it to the Government. The truth was, that this responsibility argument was at the bottom of the whole thing. He should like to know what had the Government surveyors ever done to entitle them to be armed with the enormous powers with which it was now proposed to invest them? The tendency of the proposal of the hon. Member for Derby would be not to build ships up to the highest level of excellence, but rather to build them down to that low level just sufficient to obtain the certificate of seaworthiness. The competition for business had done more to send unseaworthy ships to sea, and so to cause loss of life, than any other cause which could be mentioned, and he hoped the competition for business between different registers would speedily cease. He altogether objected to the Board of Trade undertaking the work and the responsibility of surveying the ships in the Mercantile Marine, and giving certificates of seaworthiness to their owners. A ship might be certified for, say, 18 months, and might be perfectly safe for a summer voyage with a light cargo; but in the course of the time over which the certificate extended, it might be sent to sea in winter with a cargo of railway iron, which it was totally unfitted to carry. On the whole, he thought no single word could be said in favour of the Board of Trade assuming the responsibility of guaranteeing the seaworthiness of a single vessel employed, or hereafter to be employed, in the Mercantile Marine of this country, and he objected *in toto* to the adoption of any such proposal.

MR. SHAW-LEFEVRE said, he desired to make a few remarks on the Amendment of his hon. Friend the Member for Derby, for the reason that when a few years ago he was at the Board of Trade it was his duty to examine into the whole question of Merchant Shipping, and to lay a Bill before the House in which the Government of the day proposed to deal with the subject, and he had therefore given the subject much consideration. While he was unable to support the Amendment of his hon. Friend, he must express his thorough appreciation of the motives which had guided him, and the efforts he had made in the direction of reform, and if his hon. Friend failed in carrying out the proposal, which he had much at heart, he would be consoled by the reflection that he had done much for the Mercantile Marine. There was more to be hoped from raising the tone of public opinion than by legislative restrictions, and his hon. Friend had done much to elevate that opinion as to merchant seamen. He had tried to look at the question from his hon. Friend's own point—that of providing for the safety of the lives of men engaged in the Mercantile Marine, and he must express his opinion that, in the long run, the operation of the Amendment of his hon. Friend would not tend in the direction of additional security, and therefore he felt constrained to vote against the proposal. As his hon. Friend had said, the Amendment he had put on the Paper was an alternative proposal to that contained in the Government Bill, and therefore it followed that by adopting it the main clauses of the Government Bill, which formed parts of a consistent whole, would become practically useless. The question must be dealt with from one of two points of view, which were based upon totally opposite principles. Either the shipowners must be left free to adopt their own means, and afterwards be held responsible for whatever mishaps might occur, or the means must be prescribed for them, and they must be held blameless as long as they complied with the law. They must therefore decide which of the two principles they would adopt. The first-named of these principles was the one upon which Lord Carlingford's proposals in 1871 and 1873 were based, and it was also the guiding principle of the present measure. The proposal of his hon. Friend, however, would not consort with that view, because it required that every vessel going to sea must have a certificate of seaworthiness—the hull, the equipments, and the machinery, must all be approved by an officer of the Board of Trade, who was besides to determine how long that certificate was to be in force. In that way it would practically throw the whole responsibility of surveying and classifying vessels upon a Government Department, and would relieve the shipowners of any liability, except that of obtaining certificates of seaworthiness before sending their vessels to sea. It was true the Amendment made an exception in favour of ships which had been classed at Lloyd's Registry, but it gave power to the Board of Trade to remove that exception if at any time it should appear that the requirements for classification and registration were not sufficient for the purpose of securing seaworthiness in the hull, equipment, and machinery of ships so classified and registered. The result of the Amendment, therefore, would, in his opinion, inevitably be to make the Government responsible for the Lloyd's survey and the Lloyd's classification. It converted Lloyd's into a mere agent of the Government, and the step from an agent to a servant was a very short one. It would be soon found that if this Amendment was adopted, it would become necessary to force upon the Board of Trade sooner or later the responsibility of conducting all surveys and classifications. This was the more clear to his mind because, in the first place, Lloyd's Registry provided no means for the survey of machinery on shipboard; and, in the second, his hon. Friend, while asking the Legislature to recognize Lloyd's classification as a certificate of seaworthiness, had himself, in his recent interesting pamphlet on *Our Seamen*, p. 77, pointed out that there were five classes of well-known unseaworthy vessels on Lloyd's books—namely, 1. East Coast well steamers; 2. Clyde overmasted sailing vessels; 3. over-lengthened steamers; 4, insufficiently-strengthened steamers; and 5, recently-built steamers without sheer. From that it would appear that the House was called upon to adopt a survey which, on his hon. Friend's own showing, was unsatisfactory. The more the proposal was considered, the more it would become plain that, although most plausible, it was most insidious. The question was one which not only affected the shipowners, but underwriters and other people concerned in the shipping trade. Of these the shipowning class would doubtless be glad to see the responsibility which ought to rest upon themselves assumed by a Government Department, and it was not therefore to be wondered at that the proposed Amendment had received support from some of those very shipowners whom his hon. Friend had denounced in the strongest terms. The result of agreeing to the Amendment would not be to put an end to negligence, ignorance, and dishonesty on the part of a certain class of shipowners, but to divert it into other channels, and to cause them to exercise their ingenuity in devising means to square the Inspector, and so evade inspection, and to do as little as possible in the way of complying with the requirements of the Board of Trade. If he could assume that all Inspectors were capable and honest men, it might be very well; but there must be a very great increase of the Inspectorate, and with such an increase there would be a considerable proportion of dishonest, incapable, ignorant, and negligent Inspectors. When he was at the Board of Trade he had a profound distrust both of the utility and value of the inspections then carried on. He would say further that every political person who had served at the Board of Trade, whatever his opinions might be—from the Duke of Richmond to Mr. Milner Gibson, from the Chancellor of the Exchequer to the right hon. Member for Birmingham—entertained, he believed, the same distrust of the system of inspection which already prevailed there. No State could be better served than by the permanent officers of the Board of Trade; but he had reason to believe that the heads of Departments themselves dreaded the extension of the Inspectorate, because they knew the danger and inutility of it. There was another danger in the increase of the Inspectorate, arising from the extent to which Inspectors impeded improvements. If they were honest they were afraid of responsibility. Shipowners might come to them and suggest great improvements, but they were not interested in carrying them out; they were responsible and would not allow them. This was not a mere theoretical argument; it was illustrated by practical experience. In France inspection was in full force. France was the very Elysium of inspection. Everything there which could be was inspected—the vessels, the engines, the equipments, the crew, every possible thing, but that had neither tended to the improvement of vessels or of safety to life. M. Jules Simon, one of the most eminent writers and statesmen, said—

> "Amongst the grievances of our Mercantile Marine, the greatest was that of the immense number of inspections made imperative by law. The shipowners and captains are garotted by these regulations."

But what had been the result as regarded the safety of life? This subject had been investigated by the late Mr. Graves, and the conclusion at which he arrived was that the loss of life in French vessels was as five to four in English vessels. Beyond that, our Minister in Italy, reporting on the subject, said that the official inspection of ships was a mere formality and an obstruction rather than any benefit; it gave no additional security to life, and was rather a disadvantage than otherwise. It had been said that the Amendment of his hon. Friend only proposed to apply to ships the system which had already been carried out in regard to mines. But it was not so. The inspection of mines was not periodic. The Inspector was only called in upon complaint being made. No doubt he had to inquire into accidents, but it was no part of his duty to inspect mines within his district periodically. That was done advisedly by Lord Aberdare, who, in introducing the Bill, said it was not the intention of the Government to share the responsibility of the mine-owners. The same course was taken with regard to railways. There was an inspection before a line was opened, but after that the State declined to allow an inspection of the working of the line, on the ground that it would be unwise to interfere with the general management. The Government measure before them proceeded on precisely the same principles as the Mines Regulation Act. As mines were condemned if they were worked on unsafe systems, so vessels were condemned if they were found to be unseaworthy; and in both cases the Government objected to divide by regular inspection the responsibility with the proper managers. The Legislature had hitherto declined to recognize the periodic survey of vessels, still less to grant certificates of seaworthiness. The superior officers appointed by the Board of Trade last year could stop vessels which they had reason to believe were in an unseaworthy state. The Government officials ought to keep their eye on ships which had run off their classes through unseaworthiness. He thought it would be their duty to stop such vessels and have them surveyed; but, at the same time, it would be wise to avoid a periodical survey of vessels or classes of vessels. Indeed, he could not doubt that the instructions given to the principal officers were somewhat to this effect. As the Act had been only one year in operation, it would hardly be wise for the House now to adopt for the first time an entirely new policy with regard to Merchant Shipping. Therefore he hoped, and he would appeal to his hon. Friend not to press that particular Amendment, but to wait and see what would be the result of the Act as amended by the measure at present under discussion. He believed a careful investigation of the statistics would show that by far the greater proportion of losses of British vessels at sea occurred from causes over which no Government measure, nor even the proposal of his hon. Friend, could have any effect. Unseaworthiness had nothing to do with most of them; they were due to the negligence and ignorance of the officers and crews. He would not carry this argument too far, but he said it was impossible for the Government to maintain even the standard of Lloyd's if they had a compulsory survey. If the Committee adopted the Amendment, it must recognize classes of vessels very inferior to those at present on Lloyd's Register. It would then be necessary to recognize a low standard of seaworthiness, and that would become the maximum of seaworthiness for large classes of other vessels. One chief cause of our maritime greatness was that our commerce had been left to its free development, and not trammelled by State regulations and State surveys. Instead, therefore, of adopting a general system of survey, and giving certificates of seaworthiness, we ought to endeavour to place responsibility on shipowners, so as to make the trade of a negligent or dishonest shipowner unprofitable and impossible. In that way he thought the object of his hon. Friend would be attained equally as well as by the adoption of the course he had proposed.

Mr. MAC IVER said, he would recall the House to the real business that was before them. The fact was, they had already all that legislation which the hon. Gentleman who had just spoken (Mr. Shaw Lefevre) had so eloquently declaimed against. No proposals submitted by the hon. Member for Derby (Mr. Plimsoll) had ever been so bad as the legislation under which shipowners already laboured, and which the hon. Gentleman (Mr. Shaw Lefevre) had done his part to obtain. The Acts of 1871, 1873, and part of the Act of last Session formed together a meddlesome, petty, and annoying system of interference, carried on by a needless number of surveyors. That legislation had already exhibited all those ill effects which the hon. Gentleman who had just spoken said would follow from adopting the proposition made by the hon. Member for Derby. It had been mentioned that 700 vessels had been stopped for unseaworthiness. Some only of these vessels were really unseaworthy. Many of those improperly stopped were coasting vessels — the costermongers of the sea. They might not be thought to be of much consequence to the right hon. Gentleman; but at every seaport in the Kingdom the already existing legislation was complained of as meddlesome, interfering, and useless. When he came to the House that evening, he did not intend to support the Amendment of the hon. Member for Derby (Mr. Plimsoll), because he could not accept his particular proposals as being the right way to deal with the question; but he did think that the general principle of a survey, at the proper time and under proper conditions, was a principle which ought to be carefully considered by the House, and which in some modified form should be adopted. The hon. Member for Warwick (Mr. A. Peel) said in the course of his speech that there were only two principles between which the House had a choice—the principle of responsibility and one of interference, and that those principles were necessarily separate and antagonistic. He thought that the Board of Trade was endeavouring to put in force both those principles, and that within reasonable limits they were neither separate nor antagonistic. But, so far as the legislation of recent years was concerned, they they were both of them in every way up to the present time an almost total failure. He did not say that every system of survey was bad, but rather that the existing system should be amended. It would be wrong, he considered, to relieve shipowners from proper responsibility; but there were responsibilities which were unreal for the rogue, and real only as against the honest shipowner. The noble Lord the Member for South Northumberland (Lord Eslington) had referred to several cases to which he would refer, because he happened to know where the noble Lord got his information from. His Lordship spoke of surveys by the Board of Trade as being likely to stop ship improvements. That they had sometimes done so there could be no doubt; but he remembered three large steamers, belonging to three different companies, and in each case the owner was one of those improving people. One man had peculiar opinions about boilers, and he had a quarrel with the Board of Trade, not only with the local surveyor, but with the Department in London, and the Board of Trade refused him a certificate. The ship was put to a proper trial, and it resulted in his boilers coming out. In the second case the interference was because of a propeller shaft which was put on board, and the Board of Trade was perfectly right in preventing passengers from being taken to sea in large numbers in a ship which was not reasonably safe. The third case was that of another man who considered himself badly used about the boilers. He objected to the interference of the Board of Trade. His ship went to sea, but in the end his boilers blew up. These cases helped to demonstrate the necessity in some form of an official survey, but did nothing to justify the present system of petty interference. [Lord ESLINGTON: These cases were not in my mind's eye at all.] He (Mr. Mac Iver) would not trouble the House any further at that time, but would move the rejection of Clause 3 at a later period; but after the unfair way in which the hon. Member for Derby had been met, he thought that on the present occasion he ought to go into the Lobby with him.

DR. KENEALY said, he was disappointed at the course taken by the noble Lord the Member for South Northumberland (Lord Eslington). Since he had had the honour of a seat in that House he had always found the noble Lord take the side of justice; and as he thought that in this case justice and right were on the side of the hon. Member for Derby, he expected that he would have found an advocate and supporter in the person of the noble Lord. He thought the facts stated by Lord Eslington ought to have satisfied him of the necessity of Government inspection of unclassed ships. He had stated that the annual loss of seamen's lives was 2,000, and that in six years the annual loss approached to 12,000. It might safely be calculated that for each life lost at sea three persons were left destitute on shore, and thus if 2,000 seamen lost their lives, there were 6,000 persons dependent on them who were thrown destitute upon the world every year. Surely something should be done to put a stop to such an enormous sacrifice of human life. The noble Lord said he had no trust in Government inspection. On the other hand, the Member for Derby and those who supported him had no trust in dishonest shipowners. The hon. Member for Derby might congratulate himself on obtaining the advice and assistance of the hon. Member for Pembroke. He (Dr. Kenealy) had listened, on the other hand, with regret to the speech of the hon. Member for Reading (Mr. Shaw Lefevre), for he had appeared as the advocate of the shipowners; but if he (Dr. Kenealy) were a shipowner he would cry—"Save me from my friends," for the hon. Member had loaded them with the greatest possible abuse and vituperation. He said the shipowners were so dishonest, so intent on gain, so determined on sending their unseaworthy ships to sea, no matter what loss of life might result, that they would do all in their power to evade Government inspection. He went further, for he said this Government inspection would be a cloak for ignorant, dishonest, and negligent shipowners. He (Dr. Kenealy) considered that as the strongest argument that could be advanced in favour of Mr. Plimsoll's Amendment. The hon. Member for Reading, however, did not stop there. He went on to say that the shipowners were so intent on gain, no matter by what abominable means, that if the Government surveyors went to inspect their vessels, they would "square" them. If he (Dr. Kenealy) were a shipowner in that House, so far from allowing such a statement to go unchallenged, he would use every energy of his heart and mind and soul to carry Mr. Plimsoll's Amendment sooner than allow such a terrible imputation to be cast upon him and upon his order. The hon. Member further told them he had formerly been connected with the Board of Trade, and what was the revelation he gave of that Department? He said that the Board of Trade was either so badly or so dishonestly served by its officers that he, from his own experience, would not trust it. He (Dr. Kenealy) did not believe these imputations. He believed that the Board of Trade was as well and honestly served as any public Department could be, and from what he had seen of the President of the Board he believed he was as honourably actuated by the desire to save human life and to preserve the honour and character of the Merchant Service as any man could possibly be. The fact was, that a more virulent and malignant reproach upon a public Department had never been made. The hon. Member said he had a profound distrust of the Board of Trade and of the proposed system of inspection. Whom then did he trust? Surely not the shipowners, for he had described them in the most satirical and abusive language. It was high time Parliament should interfere on behalf of the seamen. There were two parties concerned—the enormous capitalists who wished to take proper precautions for the safety of their ships, and a certain, small, miserable, and wicked section of shipowners who competed unfairly for business and who sent ships to sea that were admittedly unseaworthy. He believed that about 5,000 seamen were annually sent to sea in unseaworthy vessels from British ports, that great loss of time was the consequence, and that it was imperatively necessary that such an abominable system should be put a stop to by legislation. He trusted the Chancellor of the Exchequer would seriously consider the matter, and think of the terrible guilt which the House would incur, if it did not interfere to save our seamen from the cupidity of these men. The hon. Member for Reading had said that if the Amendment passed the owners of ships would be in a worse position than the owners of mines, for that an Inspector of Mines could not make an examination of a mine unless he had special information as to its condition. That was not so. The Mine Inspector could make an investigation whenever he thought proper, and why should not the shipowner be placed in the same position as the mineowner? [Mr. Assheton Cross: Hear, hear!] Railway directors were liable to pay compensation if they were negligent and an accident occurred; but when a ship went down, with 20 or 30 sailors on board, no one could tell the cause, and those who were aggrieved were without remedy. It was asserted last year by the hon. Member for Hull (Mr. Norwood) that in many cases shipowners were ignorant of the value of their ships. They might depend upon it that all shipowners knew the value and the seaworthiness of their ships. He therefore could not understand why a shipowner should object to obtain a certificate of seaworthiness. Where was the hardship of such a course? Who could know the value of a ship so well as the owner? [The Chancellor of the Exchequer: Hear, hear!] The Chancellor of the Exchequer seemed pleased that he (Dr. Kenealy) admitted that; but he maintained that no man who was sending his ship to sea in a fit condition would object to have his ship surveyed; but the dishonest man, who knew that his ship was unseaworthy, and that if she were lost he would secure the money for which he had insured her, he would object, and strongly, to all survey and inspection. He did not believe that such men would be able "to square" the Inspectors—he believed that meant to bribe them; and if men amenable to that influence should happen to be in the service of the Board of Trade, he was sure that the President of that Board, in whom he had every confidence, would very soon get rid of them. They ought, by their legislation, to render such proceedings impossible, and he hoped, therefore, for the sake of the character of the country, the Amendment would be adopted.

Mr. GORST said, he rose to support the Amendment of the hon. Member for Derby. It was rather difficult, however, for any hon. Member to show much confidence in debating in favour of the Amendment, when it was characterized by the right hon. Gentleman the President of the Board of Trade as "infatuated folly." He should share the distress and sorrow with which the hon. Member for Pembroke (Mr. E. J. Reed) heard the President of the Board of Trade declare that the passing of the Amendment would be fatal to the Bill and the commercial interests of the country, if he was not aware that strong statements on the part of the right hon. Gentleman and the Government often preceded large concessions. He hoped after the opinion of the House had been fully expressed, the Chancellor of the Exchequer would announce that it was a subject worthy of consideration, and that some compromise would be come to which would meet the wishes of the House and the country. He had listened to his right hon. Friend (Sir Charles Adderley) with a desire to be instructed. but the effect produced on his mind by his arguments was, that he had proved a great deal too much. If the Government certificate would diminish the care of the shipowner, why had the law been allowed to remain for many years past that all passenger ships should have certificates? If it was disadvantageous to passenger steamers, and did not ensure the safety of the passengers, why was not the Act repealed? The right hon. Gentleman said—and he (Mr. Gorst) was really distressed to hear the reason—that it was necessary in the case of passenger steamers as a character, because landsmen required the protection of the Government; and if that were so, seamen required it ten-fold more, because whilst a passenger could choose whether he went to sea or not, a seaman was compelled by the present law to go to sea and sail in the ship on pain of imprisonment. They must, for the sake of consistency, either give up the survey of passenger steamers in the interest of the passengers, or they must allow the survey of all sea-going ships in the interest of the seamen. The charge made against the hon. Member for Derby of having changed his proposition with regard to the mode of classification, did not come with a good grace from the Government, seeing how much they had changed with respect to grain cargoes and deck-loads. It also appeared there would not be much difficulty in carrying out classification, because the number of ships that were not classified at Lloyd's, at Liverpool, and other ports, was about 3,000. He was surprised to hear the right hon. Gentleman say that by a system of Government classification an end would be put to Lloyd's, and that the Government would have to survey all the ships in the country. The Government was not required to give a high-class certificate, but such a character as would just allow a ship to go to sea, leaving it to the underwriters to say whether they would insure such ships at the same high rates as they did ships in the best class at Lloyd's. Again, the right hon. Gentleman seemed to suppose that the certificate of the Department must be given gratis, whereas he had nothing to do in order to prevent that result but to exact a sufficiently high fee, and then in neither case would there be any risk of the Government certificate being so greatly in demand as to supersede the classification at Lloyd's. The Government survey would not be applicable to new ships, or first-class ships, but only to those which had gone off their class at Lloyd's, and were in a dilapidated and questionable condition. He, therefore, did not think that the survey of a few thousand ships would be likely to impede the progress of naval science. He hoped the question would be seriously considered by the Committee, discussed on its merits, and decided accordingly, and not by a Party vote, in which case it would be no more fatal to the commercial interests of the country than it would be to the Bill.

Mr. T. BRASSEY: As this Amendment raises one of the two main questions referred to the Royal Commission, I wish to explain why I cannot vote with the hon. Gentleman the Member for Derby, whose humane exertions on behalf of our seamen I appreciate highly. The Commission made two Reports on this subject, in both of which they laid special stress on the fact that the Act of 1873 was of so new and tentative a character, that it was impossible to pronounce a definite opinion, as to the effect it would ultimately produce in preventing unseaworthy ships from being sent to sea. I advert to this point at the outset of my observations; because I, for one, should not have been prepared to sign the Report of the Commission, unless I had anticipated that, under vigorous administration, the Act of 1873 would produce all the results, that could be expected from the proposals of the hon. Member for Derby. The evidence taken by the Commission was most conflicting, the witnesses generally inclining to those remedial measures, with which their own personal experience made them most familiar. All the surveyors were in favour of Government surveys. All the officials connected with Lloyd's and other similar institutions, in an administrative capacity, were against surveys. For my own part, I entertain the conviction that the practical difficulty of a survey by the Government of unclassed ships has been much exaggerated. The number of vessels to be dealt with would be comparatively limited, and, if necessary, the assistance of Lloyd's surveyors could be obtained. I am equally convinced, by our experience of the Act of

1873, that the power of complaint, which has been given to the seamen is of no practical value. These are considerations which incline my judgment in favour of the proposals of the hon. Member for Derby. On the other hand, I think it a most serious innovation for the Government to give certificates of seaworthiness, and thus to become directly responsible for the safety of any ship, not good enough to class at Lloyd's. In practice, I believe that there would be little difference between the system proposed by Mr. Plimsoll and the vigorous supervision, now carried out by the Government. The hon. Member for Derby says that the Government should survey all unclassed ships. Practically the Board of Trade survey these ships under the existing regulations. Mr. Gray told the Commission that he knew that ships were sent to sea which ought not to be sent to sea; and he asked for power to break up an unseaworthy ship. He believed in a survey of suspicious cases, and in the punishment of men, who disregarded the life of the sailor. What he wanted was legislation, which would help them to bring home punishment to the offender. That was the language of Mr. Gray in 1873. And what did he say in 1874? He was asked by the Duke of Somerset the following Question:—

> "We were told last year by Mr. Farrer, or by yourself, that you knew pretty well, throughout the country, where the bad and unseaworthy ships were, and that all you wanted was power, in order to lay your hand upon them." "Yes;" he replied, "I said so; and my experience in the working of the Act of 1873 has satisfied me that the Act, as it now stands, is sufficient for the purposes of the Board of Trade, in preventing unseaworthy ships from being sent to sea. I should be sorry to see any further power given to the Board of Trade to interfere with the shipping of the country."

If the Act of 1873 had been administered from the first with the vigour, to which the Board stood pledged by the statements, made on their behalf by Mr. Gray, I do not believe that the temporary Act passed last Session, or the Bill we are now discussing, would have been introduced to Parliament. Both the Board of Trade and the hon. Member for Derby agree that all unseaworthy ships should be stopped by the Government; but the Board of Trade object to give certificates, while the hon. Member for Derby says that all ships, which are not unseaworthy, should be certificated. For the security of the shipowner, I should prefer the system of Government certificates. For the security of life, I should object to them. Unclassed ships are of two kinds. They are either in such high repute with shipowners, that they can be insured at the most favourable rates; or they belong to poor men, who cannot afford, or to negligent or unscrupulous people, who are unwilling, to pay the cost of proper repairs. The powers of the Board of Trade, under the Act of 1873, ought to have been, and, I believe, after too long a delay in the commencement of operations, are now brought to bear on these inferior ships. The result must be that all vessels will be kept in sufficient repair to class at Lloyd's, or else they will be broken up. If these anticipations are fulfilled, would it not be better that shipowners should protect themselves by classing their ships, rather than seek to obtain a Government certificate, which will relieve them of further responsibility? I object to relieve a shipowner of the highest standing from responsibility; but I object still more to relieve from responsibility struggling or unscrupulous people, who, instead of making an effort to keep their ships seaworthy, will use all their cunning to hide defects, and to obtain certificates at the smallest possible expense. If such a system as this be introduced, the seaworthiness of the inferior ships will depend entirely on the vigilance of the surveyors; and we have no reason to suppose they will not sometimes make a mistake. Surveyors are not infallible. A few ships are now lost from the carelessness of their owners. Under the proposed rules, a few ships will be lost from the carelessness of surveyors. But, whereas now, when an uncertified ship is lost, the shipowner is responsible, he will be held blameless in every case of disaster to a ship certified by the Government. The hon. Member for Pembroke (Mr. E. J. Reed) has adduced the Government inspection of railways, as an argument in favour of the proposal of the hon. Member for Derby. My railway experience has taught me a very different lesson. If we had trusted to minute Government inspection, rather than to the effect of liability to pay heavy damages in case of accident, the safety of the travelling public would not have been so well secured as under the system actually adopted. I entertain no sanguine belief in the possibility of increasing the safety of life at sea by further legislation. We do not want legislation so much as good administration of the laws we have lately passed, and under which such ample powers have been already entrusted to the Government. I was greatly impressed by the strong opinion on this subject, expressed to the Royal Commission by Mr. Burns, the leading proprietor in the Cunard line. He told us that, in his opinion, there had been too much interference of late by Act of Parliament, and that that interference had had no effect in diminishing loss of life at sea. Such an opinion deserves the respectful attention of this House, coming as it does from the owner of a fleet of steamers, which have made nearly 3,000 passages across the Atlantic, and whose happy fortune it has been never to lose a life entrusted to his care. In conclusion, I desire to express my conviction that the general condition of our shipping does great honour to this country. The success of our shipowners, in competition with the whole world, affords the best proof of the quality of their ships. And, spending, as I do, no inconsiderable part of my life afloat, and comparing the shipping of the present day with my recollections of 20 years ago, I see a progressive development of speed, power, and safety, which I should hesitate to interrupt by novel legislation, which, however, laudable in intention, I believe to be framed on a total misconception of the proper functions of a Government Department.

MR. WATKIN WILLIAMS begged to say that he would give his hearty support to the Amendment of the hon. Member for Derby, which he believed to be a good one, and one which would afford an additional security against the loss of life and property at sea. Some of the hon. Members who had addressed the Committee had raised several false issues. In this case the choice was not between prevention and cure, but, as the right hon. Gentleman (Sir Charles Adderley) had said, a choice between two modes of prevention, and he (Mr. Watkin Williams) claimed both of them. Was there any choice between a survey on the one hand and a certificate on the other? He could see none, and he claimed the protection of both for the seamen. He quite admitted that any interference with trade was objectionable, but here the ordinary rules of political economy fell into abeyance, inasmuch as the conduct of the shipowners themselves drove the Government or some other body to exercise an interference of the kind. But apart from that, he found that the highest class of shipowners not only submitted to a survey, but actually courted it; and, under such circumstances, it was too much to say that the other owners should not be compelled to submit to it. It was said there was a great difficulty as regarded the efficiency of survey, but his answer to that was simply this—that the certificate given by a system of legislation, although imperfect and far from complete, would yet be good to a certain extent. There was no doubt as to the possibility of having such a survey as would prevent rotten ships from being sent to sea. He denied that the proposed certificate was to exonerate the shipowner from all responsibility. In the whole course of his experience as a lawyer he had never heard of a Lloyd's certificate being considered as a guarantee that the ship was seaworthy. What he meant was this, that the certificate was only a guarantee that at the time the ship was surveyed, she was entitled to be classed A 1 for so many years; but when she was loaded and sent to sea the owner had the full responsibility outside the certificate altogether. But the proposed certificate was of a very different kind. It had been suggested that if they introduced a Government examination, so to speak, or a Government certificate, the effect would be to reduce the standard of unseaworthiness; but he believed that was a great exaggeration, because it would very soon be discovered that the Government examinations would be "pass examinations," like that of the Universities, and nothing more. An attorney or a surgeon could not rely on his certificate to clear him of negligence, and the Government certificate would not, or, at any rate, ought not, to be of any more avail to the shipowner. Certainly the certificate would not be a perfect, absolute, and complete security; but it would be to some extent a security, and would prevent shipowners sending sailors to sea in rotten vessels that could not be regarded in any other light than as coffins. The objection that the effect of Government granting certificates would be to reduce the standard of efficiency was one that was generally exaggerated; but, at all events, the certificate desired by the hon. Member for Derby was only in the nature of a check that shipowners should not send their ships to sea in an unfit state.

Mr. NORWOOD said, he thought there had been some misapprehension on the part of the hon. Member for Pembroke (Mr. E. J. Reed) and the hon. Member for Derby (Mr. Plimsoll) as to the charges of inconsistency they had brought against the right hon. Gentleman the President of the Board of Trade. He (Mr. Norwood) thought it arose from a misapprehension on the part of the hon. Gentlemen of the real scope of the Bill and the principle involved in the Amendment. Had this been merely a question of the convenience and advantage of shipowners, he should no doubt have been disposed to support the Amendment of the hon. Member for Derby, as shipowners had been told it was their interest to do; but he had yet to learn that it was proper for a Member of that House to allow himself to be influenced, in giving his vote or advice, by private interest or prejudices affecting any particular class. He wished to say what he believed was for the benefit of the country, and to legislate as far as possible in the interest of saving life. There were two principles on which such legislation could be carried on. There was the principle laid down in the Bill of the Government which had been acted on for some years by the previous Government; and there was the principle laid down by the hon. Member for Derby. The Government said—"We do not determine how a ship is to be manned and stowed, but we hold the owner responsible for the mode in which he carries on his business with reference to losses of life and property." But the Government went one step further and said—"There are a certain number of inefficient ships at sea, and with reference to them, it is our duty to establish a sort of police, and if our surveyors report to us that a ship is in such bad repair or that she is so overloaded that the lives of those who sail in her will be placed in jeopardy, we take power to ourselves to arrest her, compel her to be properly loaded, and, if necessary, even break her up." The hon. Member for Derby, however, went upon an entirely different principle—which he described as that of prevention, requiring every British ship to possess a certificate of her seaworthiness to be issued by the Government or by some register societies before she was to be permitted to sail. In a subsequent Amendment the hon. Member dealt in like manner with the stowage of a ship, so that the Government was to be made answerable for everything done by the shipowner. If the principle of the hon. Member were to be carried out to the logical result a complete system of surveillance over a shipowner's business from beginning to end must be adopted. That was an exceedingly dangerous principle and one which the Government must not and dare not carry into execution. Did the hon. Member for Derby expect the Government to guarantee the seaworthiness of every British ship which left port? [Mr. Plimsoll: No.] It was all very well for the hon. Member to say "No;" but that would be the natural result of his Amendment, under which no British ship was to sail without having a certificate from the Government or from one of the societies. The inevitable result of the adoption of the principle advocated by the hon. Member would be that a false security would be induced, and the minimum requirements of the Government would become the maximum efficiency necessary in the estimation of the shipowner, who would never go beyond the very letter of the law laid down by the Government. The hon. and learned Member for Denbigh (Mr. Watkin Williams) said that the Government certificate would by no means relieve the shipowner from his responsibility, but would any man of common sense make such a statement seriously? The shipowner would act up to the letter of the law. And what would become of an action against a shipowner for unseaworthiness of his vessel, if he could prove that he had fulfilled to the letter everything which the law made incumbent upon him? He doubted whether the eloquence even of the hon. and learned Member would induce a jury in the City of London to give damages in such a case. The hon. Member for Derby had laid great stress upon the fact that the rate of insurance upon many unclassed ships was higher than upon classed ships. The hon. Member was undoubtedly correct in that statement, but he appeared to forget that these unclassed ships performed very necessary functions, and that they might be called the "costermongers of commerce," seeing that they had to carry coal, iron, wood, and other coarse cargoes as they plied along our coasts, while at the same time they had to prosecute very difficult and intricate navigation. It would be absurd to put the highest class of ships to do such work as that. The hon. Member had omitted to state that although the number of unclassed ships lost was larger than that of classed ships, the loss of life by the latter was greater than that by the former. The hon. Member had referred to the survey by the Board of Trade of passenger vessels; but in his (Mr. Norwood's) opinion that survey often did as much harm as good. He had himself held a certificate from one of the Register Societies and from the Board of Trade that of one his steamers was fit to carry passengers, and although she was really quite unseaworthy, he might have sent hundreds of passengers to sea in her with impunity because he possessed that certificate. It must also be remembered that while passengers were landsmen who knew nothing whatever about ships, sailors were experts who could tell with a very slight examination whether a vessel was fit to go to sea or not; and he objected to that sort of grand motherly legislation that encouraged sailors to abstain from bringing their judgment into play when choosing their ships. He objected, on principle, to the Government giving certificates, and he further objected to the proposal of the hon. Member for Derby to exempt from the Government survey all vessels now classed at Lloyd's or at Liverpool, because he thought the exemptions proposed were very delusive. Why did the hon. Member exempt vessels registered at Lloyd's? That register simply signified that the vessel was built in a certain year, and that she then received a certain classification, and when she was last surveyed; but it showed nothing as to the existing state of the ship. What was wanted to be known was the seaworthiness of the ship at the time she commenced each voyage. What right had that House to throw upon a private body the responsibility of controlling the Mercantile Marine which should be exercised by Government alone? Lloyd's comprised a number of underwriters, merchants, and shipowners; but it had what might be described as a "hole-and-corner" constitution, and the members were paid for their services. He doubted whether Lloyd's could possibly perform the business it was proposed to throw upon them, as their duties were of a distinctly different mercantile character. There were between 25,000 and 26,000 British registered ships, 9,100 of which were classed at Lloyd's, and 900 at Liverpool; so that there were only 10,000 classed ships. The hon. Member for Derby was ready to omit vessels under 100 tons. But why should they be omitted? Surely, if legislation was required for saving life in large vessels, it was required for saving life in small vessels. He believed there were between 15,000 and 16,000 vessels which were not classed either at Lloyd's or in the Liverpool Book. The work, therefore, was not so light as might be imagined, and it would not be right to throw this enormous additional work upon these private societies, and if all vessels were forced to submit to the severe ordeal of being classed at Lloyd's, between 4,000 and 5,000 coasting vessels, which were well fitted for the work they were engaged in, would have to be broken up. But our colliers were as necessary as our Cunarders, for humble as well as important duties had to be performed by the Mercantile Marine. Reference had been made that in Canada great consternation existed at these proposals, and the Canadians said—"If you persist in your sensational and extreme legislation we shall decline to be bound by it, and shall demand to be treated as foreigners." There was great exaggeration in many of the statements made as to unseaworthy ships, and the House should be extremely cautious in receiving stories of this character. Mr. Lindsay had, no doubt, had great experience as a shipmaster and shipowner, and his opinion was entitled to respect; but he had retired from business, and his knowledge dated back 20 years, since which great changes had occurred. He did not speak as a shipowner, or in the interest merely of shipowners, when he declared that a greater error than to follow the legislation of the hon. Member for Derby could not be made, and that the results would be disastrous. The lines laid down by the Government in the present Bill were the only wise and correct policy. He confessed, however, he shared the apprehensions that had been expressed as to the danger in the multiplication of a great army of officials; and he saw great danger in virtually handing over the Mercantile Marine of the country to irresponsible bodies like the Register Societies in London and Liverpool, who might lay down any amount of regulations to destroy the merchant shipping of this country. Believing that the legislation proposed by the hon. Member for Derby was vicious in principle, and would be disastrous in practice, he should give his vote against it.

MR. W. E. FORSTER said, that he, like the majority of the Committee, was without technical knowledge of the subject, yet the matter was so important that he, like the majority of other hon. Members, had felt it his duty to look into the facts and principles, and to come to some opinion upon the subject. The Committee could not be led by the experts, because they did not at all agree with each other, therefore he had formed his own opinion upon it, and it was adverse to the proposition of the Government. He was sorry to hear some of the remarks which had proceeded from the Treasury bench, because it was rather early in the debate on this Bill to pledge the Government against this Amendment, and to treat it as if the fate of the Bill depended upon it. Although this was not a Party measure, yet, taking the House constituted as it was, it usually happened that when a Minister declared that the fate of a Bill depended upon an Amendment Members sitting on the Government benches would naturally think that they ought to vote against it, whatever might happen. The question before the Committee was not only very important but very difficult to answer—namely, how best to prevent unseaworthy ships from going to sea. He agreed that they must not be too sanguine as to the result of their legislation on this subject. The winds and waves would be always difficult to contend against, and nothing that Parliament could do would make a seafaring life safe and easy. Parliament might, however, take care that ships went to sea in a decently seaworthy state. That being their object, on what points were they agreed? They were all agreed that there was a great and positive danger arising from ships leaving port and going to sea in an unseaworthy state. That danger might be expected to exist. Ships were not immortal. They might be built well, but they passed from one owner to another until, in time, they became worn out, and in a state in which they were very likely to go to the bottom. Many were too bad to repair, and there were others the repair of which would cost more than their value. It was these ships they wanted to prevent going out. What Parliament had to do was to see that the former were broken up and that those which required repairs did not go to sea until they were put into a state of repair. It was not necessary to jump at a conclusion unfavourable in all cases to the owners. They might be supposed to have an unconscious bias in favour of their ships, and allowance should be made for that, for having bought them from other people with hard money and having sailed them for two or three years, they might think they might be safely sent out for another year or so. There were at present 2,654 ships in the disclassed list of Lloyd's above 80 tons, and the description given of these ships in that list was very significant. They were called ships "whose characters are withdrawn or expired" with a blank as to the date of the last survey. No doubt, all were agreed ships of that suspicious character required the careful consideration of the Committee. It was no longer said that it was safe to rely upon public opinion—although there could be no doubt it had been much stimulated by the course taken by the hon. Member for Derby—or that legislation of this kind was an interference with the true principle of trade. That mode of argument was given up when Parliament began to legislate on this subject, and when it once interfered between the able-bodied seaman and the owner to whom he engaged himself. It was urged by the hon. Member for Hull (Mr. Norwood) that sailors knew what they were about; but he (Mr. Forster) and those who thought with him felt that whatever might be the general principles on which adult men were dealt with, such was the peculiar position of the sailor that he must be protected from himself. There was, indeed, a general agreement among hon. Members up to the point that legislation was necessary to prevent not merely the wilful shipowner, but also the careless and ignorant one from sending an unseaworthy vessel to sea. With regard to the former class the Amendment of the hon. Member opposite (Mr. Mac Iver) had been withdrawn a night or two ago, because it was believed it would have the effect of making the clause a dead letter. Under those circumstances, the Government came forward with a proposal by which they threw the responsibility on the shipowner, and by which they sought to stimulate knowledge and secure the exercise of care on his part. His hon. Friend the Member for Derby, on the other hand, would much prefer to rely upon a compulsory survey, which would ensure that certain conditions should be fulfilled. That was the alternative which had to be decided, and he hoped the right hon. Gentleman the President of the Board of Trade would allow the Committee to decide it upon its own merits, and not attempt to influence them by any fear of the Government losing an important Bill. The clause proposed by the right hon. Gentleman seemed to him to be unable to prevent these 2,600 unseaworthy ships being afloat, and therefore he supported the Motion of the hon. Member for Derby. The matter, however, was not an easy one, and there was, he admitted, a good deal to be said on both sides. He must, however, observe that, looking with the utmost impartiality on the clause of the Government, he could not help being of opinion that it would not work, and for the reason that it was either unjust, or would turn out to be ineffectual. It was, he believed, unjust because there was many a shipowner who was unconsciously biassed in favour of his ship, and whom it would be a very strong act indeed to convict of a misdemeanour, and yet if he were to send his ship to sea life might be lost. Again, the clause, he maintained, would be ineffectual, and he should like to know who was to be the judge as to whether "reasonable means" had been used to send a vessel to sea in a seaworthy state? It was a question which must be decided by the jury, and he very much doubted whether, in 99 cases out of 100, except where extreme turpitude was proved to exist, the jury would not take the man's own reasons as theirs rather than convict him of a criminal offence. It was only within the last few months, and then only through the manifestation of public opinion strongly shown, he might add, that there had been those three convictions which had been spoken of in extreme cases, and he did not anticipate that anything like that would be the general result of the proposed legislation. Against such convictions must be set, in his opinion, the feeling which seemed to be excited in the minds of such men as Mr. Justice Brett, for if charges like his were often heard, it would be exceedingly difficult to secure convictions under the law. It might be said by the Government that they would rely on their army of Inspectors, which would detain ships which were not seaworthy, but he had an idea that the fear of the Board of Trade with respect to incurring costs would be something like that of the shipowner with regard to his liability to punishment. Bnt leaving the proposal of the Government he came to that of his hon. Friend the Member for Derby, which seemed to him to have these two advantages—that there was nothing unjust in it, and that it purported, at any rate, to be complete. His hon. Friend would provide for a survey of all ships, so that when they set out on a voyage there would be a security that they were in a seaworthy condition. The main argument against that was, that the thing was impossible. His hon. Friend the Member for Hull asked if such a twopenny-halfpenny society as Lloyd's was to be acknowledged. All he (Mr. Forster) could say in reply was that it was a very remarkable twopenny-halfpenny society, for he was informed that out of 11,500 British ships afloat above 100 tons, more than 6,000 were classed at Lloyd's; and it appeared to him that if the Committee were to look back they would find circumstances which would enable them to rely very fairly on that voluntary society, which was established for the good of shipowners and underwriters, and in connection with the premiums charged on ships, and which it was absurd, therefore, to suppose could be abolished by any regulations which the right hon. Gentleman opposite could make in his Bill. The majority of the mercantile and shipowning classes in this country found it to their interest to rely upon

Lloyd's survey and to make it as good as they could. Consequently, the survey of Lloyd's was a good survey, and the same remark was applicable no doubt to the Liverpool Association; while their respective surveyors were experienced practical men, whose surveys might be relied upon by Government. If the surveys and classification of Lloyd's were not reliable, there would soon be such an outcry against them as would result in a change in the system. The Government might, in his opinion, take their survey with comparative safety for the time it professed to last, for it should be remembered that it lasted for as many years as, according to the experience of the underwriters, it ought to last. It had been argued that the hon. Member for Derby's proposal would prevent improvements, and that our passenger surveys had prevented improvements already. If this were so, he could only say that there had been very little outcry upon the matter, and, as was said by the hon. and learned Member for Chatham (Mr. Gorst), the President of the Board of Trade ought to propose to do away with that survey, but he was perfectly aware he would do nothing of the kind. His hon. Friend the Member for Derby had alluded to a resolution passed by the Associated Chambers of Commerce. He (Mr. Forster) had looked at the speech of the gentleman who brought in that motion—Mr. Hall, of Newcastle-upon-Tyne—who, in advocating a survey, stated that the risks in some of the North-country clubs were so great that the insurances called for reached the enormous premium of 25 or 30 per cent. This showed that the members went on in the conviction that a club would be a paying business even if one out of every four ships insured went to the bottom. The only other objection he should notice was that respecting the transfer of ships to a foreign flag. Well, he would only say that if these old coffins were to be afloat at all, let them not be under our flag. The fact, however, was that other countries were preventing the transfer of such vessels, for he was told that France, Italy, Denmark, Sweden and Norway, and Germany refused to accept the transfer of British ships without a certificate of seaworthiness. He was in favour of the Amendment, not because, as his hon. Friend stated, prevention was better than cure, but because he thought prevention better than punishment, especially when the fear of punishment was not operative to prevent the commission of the offence. In conclusion, he was informed that the Dominion Legislature were taking very active steps to prevent unseaworthy ships from going out, and therefore he agreed with the hon. Member for Hull that we ought not to attempt to legislate for the Canadians.

Mr. RATHBONE said, he was sorry to find himself at variance with his right hon. Friend the Member for Bradford. It was a pity the right hon. Gentleman had not consulted some of his Colleagues who had been connected with the Board of Trade. Had he done so, he would not have found any of them who had held the office of Secretary to the Board of Trade who would not agree with the right hon. Gentleman opposite (Sir Charles Adderley) and say that he would be disinclined for such legislation as that proposed by the hon. Member for Derby. His right hon. Friend (Mr. Forster) appeared to consider that all ships which were unclassed at Lloyd's were unseaworthy. That was a great mistake. The ships unclassed were vessels not intended for the Indian or American trade; but they were, as a rule, quite suited for the purpose for which they were intended. [Mr. W. E. Forster: I did not say that they were unseaworthy, but that they ought to be looked after.] That was what the Bill of the Government proposed to do. It was to enable them to look after those ships that they asked for the large powers given by the clause. His objection to the Amendment was two-fold—first, that it would substitute Government responsibility for that of the shipowner; and, secondly, that it would check improvement. It was said that you were applying the same sort of legislation to mines and railways. The fact was not so; but, even if it were, the circumstances were wholly different. Mines and railways were constantly at hand, and might be constantly under supervision; but when a ship left port, it was beyond Government control, and you had nothing to fall back on but the responsibility of the shipowner, which would be greatly weakened by this system of Government interference in one of the most complicated and difficult of trades. Then it was said that there was a Government survey of passenger ships. True, and the result of the increasing supervision was that, in constructing passenger vessels, attention was paid, not so much to what was thought best and safest, but to what would meet the requirements of the Government surveyor. He had been assured, indeed, that shipbuilders had been compelled by the Government regulations respecting passenger ships to do that which they knew was even dangerous. Originally this control was not so stringently carried out, but the effect of it was now increasingly injurious. In an able pamphlet by a gentleman connected with Lloyd's, it was stated that for the last 40 years Government supervision had done nothing for British shipping throughout the period of its greatest development. He (Mr. Rathbone) agreed with that opinion, but not with the further opinion of the author as to the great advantages of Lloyd's regulations, in accordance with which, it was said, nine-tenths of the ships in this country were built. This statement might have been true in the days of wooden ships, when they were built pretty nearly upon one model, and then Lloyd's rules did no harm. But since the days of iron these rules were found to be constantly in the way of improvement. The same remark applied to the rules of the Liverpool Registry. Shipowners soon came to disregard both and to build upon their own responsibility; and, so far from Lloyd's rules having controlled the progressive development of British shipbuilding, this development had occurred in spite of, and independent of, any system of registration whatever. The proposals of the hon. Member for Derby would be most serious in checking improvements in shipbuilding. They might not interfere with the large shipowners or builders who had amassed fortunes and could rest and be thankful. But there were many instances of men who had risen from the ranks—small builders of small ships—who would be stopped in their attempts at improvement. There was a danger, too, lest, as a result of vexatious interference by the Government, not only that rotten vessels would be transferred to foreign flags, but that all the difficult and dangerous trades would also be transferred, in which case they would be under no legislation whatever, and the danger to life would thereby be much increased. It was absolutely incorrect to say that similar legislation was already applied to mines, because we did not require the survey of every part of a mine before it was allowed to be worked. To do so in the case of ships would be to make the Government responsible; and, as had been said by the hon. Member for Reading (Mr. Shaw Lefevre), to give a charter of indemnity to the careless shipowner.

MR. HENLEY said, if it were possible by legislation to prevent unseaworthy ships from going to sea it would be very desirable to legislate so as to do it. The great question, however, was, could it be done? What he feared was, that in making the attempt they would run a risk of drowning more than they saved. There were two propositions before the Committee; one contained in the Bill of the Government, and the other brought forward by the hon. Member for Derby, who, taking the greater part of an important clause in the Government Bill, would add something to it. That something, no doubt, would harass and inflict considerable trouble on that portion of our shipping which most wanted care and fostering—namely, the small coasting vessels of this country. They would form by far the largest portion of vessels that would come under the proposition of the hon. Member for Derby, as they were almost wholly unclassed. The Amendment would impose upon them great trouble and difficulty and expense, which they could ill afford, because with the sharp competition now going on between the coasters and the railways that expense, though little, would very likely turn the scale in favour of the railways and drive a great many of these small vessels out of the trade. Then as to the question of responsibility, he did not think any body of men could be more anxious or more responsible than the naval authorities of this country; but within the last few years a few curious things had happened under their auspices. Let the Committee take the case of the *Megæra.* She was fitted out by one dockyard, and afterwards transferred to another for examination. They reported that the bottom of the vessel was better than they expected, and she was sent to sea. Something, however, was wrong; certain other parts were found defective, the crew were made uncomfortable, and she went to a third dockyard from whence she was turned out apparently in a state fit to go a voyage. The old tin-kettle accordingly went to sea and came to grief, and then it was found she was not in such a condition as was supposed, it being found that not only was her bottom in holes, but that the metal was so weak that it would not bear tinkering. But according to at least two dockyard authorities she was seaworthy. Again, take the case of the *Captain*—was she seaworthy? If so, why did she go down with 500 people on board? Or the *Monarch*, a still more recent case, which went to sea with everything so beautifully arranged that the sluices to let out water let the water in. He would not say there was a panic—that could not be in a Queen's ship—but there was alarm and signals were made for help. The mistake, however, was found out and rectified; but supposing she had been out at sea with 500 emigrants—men, women, and children—on board and a small crew, the error might not have been found out, and she might have gone to the bottom. These were incidents which showed what risks there were which could not be foreseen, but which in merchant vessels might lead to shipowners being indicted for misdemeanour. He took those instances from the Navy, because there could be no mistake about the facts. It was now 20 years since the Crimean War closed. The naval authorities said they could do nothing in the Baltic because they had no gunboats. However, the gunboats were ready when the war was over, and it became a question what should be done with them. One authority said they were not seaworthy and another that they were, and there was a Parliamentary inquiry to settle the matter, of which, unfortunately, he was a Member. There was no speculation about the matter, it must be understood, as there might be about a ship that was lost, for these gunboats were there laid up somewhere about Haslar, high and dry for inspection, and the officers who were sent to inspect them gave evidence point-blank in opposition to one another. The naval authorities were positive that they were unseaworthy, and the dockyard authorities that they were perfectly seaworthy. One distinguished naval officer said they were so rotten he could poke his umbrella into them. If, in such a case, when the vessels in question were not at sea, but open to every eye, competent witnesses—nay, experts—could make such statements, what chance of justice would a shipowner have if tried for misdemeanour? For his own part, he was so astonished at this conflict that he went down to Portsmouth to see the gunboats, and he found that, although there were little bits of sappy wood which were unsound, the timbers generally were quite sound, and indeed almost new. He mentioned the fact to show what curious evidence might be adduced to convict a man of misdemeanour. He objected also very strongly to the proposal of cross-examining an accused person against himself. Such a state of things ought to be well considered by the Law Officers of the Crown, or otherwise it might become a dangerous precedent. He saw no benefit to be derived by such a course at all commensurate with the evil that would be done if such a precedent was set up. On the whole, although not sanguine as to either, he preferred the Government proposal, because it was likely, he thought, to do some good, and it would not be attended with such injury to the coasting trade as the Amendment of the hon. Member for Derby. Speed was much more considered now-a-days than the safety of the crew, and hence long narrow vessels were built which easily succumbed to the fury of storms.

Mr. MACDONALD rose in support of the Amendment of the hon. Member for Derby, and, at the same time, wished to correct a statement of the right hon. Gentleman the President of the Board of Trade as to the out-put of coal in successive years and the annual loss of life in mines. The President of the Board of Trade had stated that the only result of the Mines Act had been to raise the price of coal—anything more incorrect than that could not have been stated—the truth was that when the output of coal before 1850 was under 60,000,000 tons per annum, now they had a production of over 127,000,000, and the death-rate from accidents had not increased; everything was changed for the better recently. If they had not had an efficient system of inspection he had no doubt that instead of only 1,000 lives being lost last year, there would have been 4,000. The Inspection had, in fact, saved thousands of lives, and he hoped that the system would be still further extended.

Mr. SULLIVAN contended that the clause was opposed to the whole spirit of our constitutional law, and that it proposed to invert the presumption of law by saying that a shipowner should be guilty until he proved himself innocent, and that in that respect it ought to be clearly distinguished from the Amendment, which went on the lines of our old liberties, and would substitute for the proposed innovation the prohibition of an improper act. The clause would allow a coffin ship to ply her trade at the peril of conviction if she should be found out; but what they wanted was to prevent unseaworthy ships being sent to sea. There was an invidious severity in the plan proposed by the Government as contrasted with the proposal of the hon. Member for Derby, which was one of general protection; and he protested against the course which had been pursued by the right hon. Gentleman the President of the Board of Trade in threatening that the Bill would be withdrawn if the Amendment of the hon. Member for Derby were adopted.

Sir CHARLES ADDERLEY explained that what he had said was that the Bill was drawn upon one principle and the Amendment upon another, and therefore it must fall, if the other was carried.

Mr. SULLIVAN said, that was a correction in which nothing was corrected, and meant that the Bill of the Government must fall if the Amendment were carried, and that was raising a Government issue as he had said. But the arguments of the Government assumed a position which they meant to abandon immediately the Amendment was negatived; they would turn right about and propose to manacle the shipowning interest by penal legislation. The country would revolt against such a clause coming into operation, and no British jury would convict under it. They were asked to fetter this trade in a manner that no other trade was fettered in this country. He therefore hoped the spirit of it would be repugnant to the Committee, for if there were facts to justify such an innovation they more than proved the case of the hon. Member for Derby. With regard to inspection, the Government could not believe in the alleged evils of that system, or they would not adopt it in the case of troop-ships and emigrant ships. The words "reasonable means" in the clause he must characterize as undefined and elastic, and he contended that it was certain not to operate because there would be no particular *data* on which to go as to the state in which a ship happened to be sent to sea. A vessel might go down on her voyage, and would a British jury, he should like to know, on the word of a seaman condemn a Liverpool shipowner unless it was proved that she was in an unseaworthy condition when she set out? If the clause were meant to be a reality, it would be too severe, and it had been submitted to the House with the appearance of severity, although he had a strong suspicion that it could never come into force, a view in which he was supported by the hon. Member for Birkenhead. The history of ships was one of continually passing from hand to hand, reminding him of the case of the Irish girl who, finding that her fine dress was dragging her down to Satan, passed it on to her younger sister. The high-class shipowners were not likely to be affected by the Bill, because after a few years, and before anything could happen to reflect upon their character, they sold their ships, and they passed down from class to class until they reached that point when the Government should step in and, with the supporters of this Amendment, say that they should no longer go to sea to be traps and snares for precious human lives.

The CHANCELLOR of the EXCHEQUER said, that the Committee had spent nearly the whole of the working hours of the evening in discussing the Amendment of the hon. Member for Derby, and, although the time spent in the discussion had been considerable, no one who had listened to it would say it was too long for the importance of the subject. The Amendment, although it appeared to be a question of introducing only two or three lines into one of the clauses of a Bill, did in fact challenge, and was antagonistic to, the whole principle on which the Government had framed their measure, and set up in its place the principle of legislation on which the hon. Member for Derby desired to proceed. No one could doubt that the hon. Member who had given such earnest and able labour to this question, and who had made it so very much his own, was entitled to put forward the views he entertained. On the other hand, it was not a question to be settled upon authority, but by reasoning, and the Committee must not be led away by the fact that the hon. Member for Derby attached great weight to his Amendment, but must look to the whole position of the case, and must take into consideration the alternative plans. It was desirable, before the Committee went to a division, that hon. Members should dismiss from their minds the points that were beside the question. There were many points upon which all were agreed—such the importance of legislation for the protection of the lives of our seamen. No one could doubt that that was an object of the highest importance, and it was as dear to the Government as to the hon. Member for Derby. Then there was another point upon which there ought to be a clear understanding. Exception had been taken to the rather strong terms in which the President of the Board of Trade had spoken of the absolute impossibility of the Government accepting the proposals of the hon. Member for Derby. It had been alleged that that statement had given something of a Party character to the discussion, and was calculated to induce Members sitting on the Ministerial side of the House to support the measure as a Government Bill. He wished to disclaim, on the part of his right hon. Friend and the Government, any such meaning or intention. The question had been argued on both sides in a very clear and able manner. There were hon. Gentlemen on the Government side who objected to their proposals, while there were hon. Members opposite who objected to the Amendment of the hon. Member for Derby. Beside that consideration, the mode of dealing with the question now proposed was not peculiar to the present Government. It had been adopted and gradually elaborated in the legislation of several years past by the past and preceding Governments, nor had it been dealt with in any sense as a Party question. He could assure the hon. Member for Derby and his Friends that during the whole of the Recess, and, indeed, for a longer period, the Bill had engaged the very serious and impartial consideration of the Government, and the proposal they had made was, they believed, that best suited to attain the object they all had in view. It appeared that some confusion had prevailed as to what was really proposed by the hon. Member for Derby; and he (the Chancellor of the Exchequer) had hoped that the hon. Member for Louth (Mr. Sullivan) was about to take the Committee out of that confusion; but the infectious character of the air upon the bench upon which the hon. Member had been sitting had not left him unscathed, and he had fallen into the same error as previous speakers as to what was the real point at issue. He told the Committee that his hon. Friend the Member for Derby (Mr. Plimsoll) was merely going to introduce certain words to provide that no ship was to go to sea except under certain circumstances, and that the Amendment left everything else blank. Now, the Committee had not spent the whole evening in discussing the propriety of introducing merely a few introductory words into a clause. The Committee must take the general plan of the hon. Member for Derby as it stood on the Paper, and regard it as an alternative plan to that of the Government. He was surprised at the construction which the hon. and learned Member for the Denbigh Boroughs (Mr. Watkin Williams) put upon the question. He wanted to take both modes of prevention. The hon. Member for Pembroke (Mr. E. J. Reed) said to the shipowners on his side of the House—"The hon. Member for Derby is going to chastise you with whips, but the Government are going to chastise you with scorpions." The hon. and learned Member for the Denbigh Boroughs, however, would chastise them with both. If the clause were amended, as the hon. and learned Member for Denbigh suggested, the shipowner would still be guilty of misdemeanour if, from any cause, he went to sea without a certificate. However, the real point was this—to which of the two kinds of prevention were they to trust? And here they found that the hon. Member for Stoke-upon-Trent (Dr. Kenealy) bore an unconscious kind of testimony in favour of the Government proposal, for he said—how he arrived at it it was difficult to say—"Who can know the value of a ship better than the shipowner?" There was the whole statement of the case of the Government. They declared that unseaworthy ships should not be sent to sea, and they had to find out how to prevent unseaworthy ships being sent out. The Government said the responsibility ought to be put on the men who were best able to prevent an unseaworthy ship going to sea—the owner. Who knew better than the shipowner whether his ship was unseaworthy? Some hon. Members opposite said a great many shipowners were not competent to say whether a ship was seaworthy; but if the responsibility for the ship going to sea in an unseaworthy state rested upon him, he would take care to have her properly examined by qualified persons. If he did that, he would relieve himself of the responsibility otherwise attaching to him. The Bill did not, as the hon. Member for Louth said, invert the process of criminal law by holding a man guilty until he proved his innocence, because it defined the offence, and they must prove that a man sent, or attempted to send, an unseaworthy ship to sea before he could be convicted of a misdemeanour; and then they would give him the privilege, not enjoyed by other persons, of proving that he had taken reasonable precautions. It did not seem to him, therefore, that there was anything in the clause which could be said to invert the ordinary principles of law; but if there should be, it could be discussed at the proper time. He was sorry to find the right hon. Gentleman the Member for Bradford bringing his great authority and calm judgment to bear against the proposal of the Government; for he believed that although he had doubtless arrived at a conclusion by an independent course of reasoning, the right hon. Gentleman was wrong. The right hon. Gentleman admitted that he would not require the Government to certify to the fitness of every ship going to sea, if it were not for the voluntary bodies such as Lloyd's. Yet let them notice the position in which the hon. Member for Derby was going to place these voluntary bodies. He would allow a ship classed at Lloyd's to go to sea, without reference to the time at which the classification was made. It had been insisted that certificates might be granted too hastily, and therefore the hon. Member for Derby was forced to a Proviso that the voluntary bodies who granted them should really be under the control of the Government, so that the responsibility would be really, after all, placed upon the Government. It really should be considered whether it would be right that the responsibility should be placed upon the Government Department, and whether that would be the best and safest way of arriving at the result. He confessed that it seemed to him that the step was one which would be fraught with so much danger that he earnestly counselled the Committee against being led away by a plausible and tempting proposal, which he believed to be fraught with great danger. This matter had been repeatedly considered with an anxious desire to arrive at the best settlement that could be arrived at, and hitherto they had shrunk from attempting that which he feared might lead to a lamentable failure. He could assure the Committee that the object on both sides was entirely and identically the same—that the object was to provide the best and least objectionable means to secure the safety of the lives of our seamen; and the Government were prepared at any time to discuss the question without any false pride or feeling, and if their views could be shown to be wrong they would be prepared to reconsider them. But having listened to the discussion he was confirmed in the view that the Government had taken of it. He trusted, then, that the Committee would support them in the view which they had taken, and that they might now be allowed to go to a division upon a question that had been most ably argued upon both sides, and with profit to the public, for they would see that there was no intention to set one interest against another, the simple question being what was the best and most unobjectionable means of attaining the object proposed.

Question put, "That those words be there inserted."

The Committee *divided*:—Ayes 110; Noes 247: Majority 137.

Motion made, and Question proposed, "That the Chairman report Progress, and ask leave to sit again."—(*Sir Joseph M'Kenna.*)

SIR CHARLES ADDERLEY expressed a hope that the next Amendment, which stood in the name of the hon. Member for Derby, would be disposed of, as the discussion had occupied eight hours.

THE CHAIRMAN said, he would take the opportunity of pointing out to the hon. Member for Derby that his second Amendment, which ought to have preceded the first, was informal as it then stood upon the Paper.

MR. PLIMSOLL said, he would withdraw the second Amendment that stood in his name, accepting the decision of the Committee upon the first, as carrying with it the second.

Amendment proposed, in page 1, lines 13 and 14, to leave out from "in" to "endangered," both inclusive, — (*Mr. Plimsoll,*)—by leave, *withdrawn.*

Question put, and *agreed to.*

House *resumed.*

Committee report Progress; to sit again upon *Thursday.*

SUPPLY—REPORT.

Resolutions [March 24] *reported.*

First ten Resolutions read, and *agreed to.*

The Eleventh Resolution being read a second time,

Motion made, and Question proposed, "That this House doth agree with the Committee in the said Resolution."

MR. RAMSAY complained that the Vote for the maintenance of criminal lunatics at Broadmoor was excessive.

MR. ASSHETON CROSS explained that a part of the apparent excess was due to the construction of the prison, and stated that the whole question was under the consideration of a departmental Committee.

Question put, and *agreed to.*

Next twenty-one Resolutions read, and *agreed to.*

The Thirty-third Resolution being read a second time,

MR. PARNELL asked for explanations relative to the cancelling the appointment of Mr. Sheridan as clerk of the petty sessions for the Trim district, in the county of Meath, when his opponent, Mr. Darling, was about to be appointed by the Castle authorities in Dublin, though he had had a minority of votes. The precedent was a very bad one; the course taken being much resented in the locality, it being said the appointment was cancelled solely on religious grounds. He would move the rejection of the Vote.

SIR MICHAEL HICKS-BEACH said, he must disclaim entirely that any religious motive had intervened in the circumstances to which the hon. Member had referred. Three of the magistrates who voted for Mr. Sheridan were not qualified so to vote on account of insufficient attendance at petty sessions, and his opponent was consequently placed in a majority. He could not say that the resident magistrate had acted improperly in recording his vote on the occasion. The election was, in his opinion, properly conducted and properly decided in favour of Mr. Darling.

MAJOR O'GORMAN said, he must take exception to the statement of the right hon. Gentleman with regard to the disqualification of magistrates for voting at these elections in Ireland; as their duties were frequently conducted in such a way as to make their non-attendance much to be preferred to their attendance.

MR. FAY wanted to know when the rule, to which the right hon. Baronet referred the rejection of those magistrates votes, was made?

Motion made, and Question put, "That this House doth agree with the Committee in the said Resolution."

The House *divided:*—Ayes 192; Noes 18: Majority 174.

MUTINY BILL.

(*Mr. Raikes, Mr. Secretary Hardy, The Judge Advocate.*)

COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

Motion made, and Question put, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Parnell.*)

The Committee *divided:*—Ayes 38; Noes 154: Majority 116.

Committee report Progress; to sit again *To-morrow.*

POOLBEG LIGHTHOUSE BILL.

Order for Committee read, and *discharged:*—Bill *committed* to a Select Committee.

And, on April 7, Committee *nominated* as follows:—Sir HENRY WILMOT, Mr. BALFOUR, and Mr. MELDON.

NOTICES TO QUIT (IRELAND) BILL.

On Motion of Sir COLMAN O'LOGHLEN, Bill to assimilate the Law in Ireland to the Law in England as to Notices to Quit, *ordered* to be brought in by Sir COLMAN O'LOGHLEN, Mr. DOWNING, and Mr. PATRICK MARTIN.

Bill *presented*, and read the first time. [Bill 114.]

House adjourned at a quarter after Two o'clock.

HOUSE OF LORDS,

Tuesday, 28*th March*, 1876.

MINUTES.]—PUBLIC BILLS—*First Reading*—Agricultural Holdings (Scotland) (44).

Second Reading—United Parishes (Scotland) * (18); Sea Insurances (Stamping of Policies) (40).

Third Reading—Patents for Inventions * (38); County Palatine of Lancaster (Clerk of the Peace) * (34); Manchester Post Office * (33), and *passed.*

ROYAL TITLES BILL—PERSONAL EXPLANATION.

THE DUKE OF BUCCLEUCH: My Lords, before the business of the day commences, I wish to say a few words with regard to myself. Having arrived in London late last night, and knowing nothing of what was going on in this town, at breakfast this morning my attention was called to a statement in a newspaper which at one time assumed to lead John Bull by the nose. *The Times*, with extraordinary sagacity, "understood" that I was to do certain things in this House, and that, among other things, I was to second the Motion of which my noble Friend opposite (the Earl of Shaftesbury) gave Notice last evening on the subject of the Royal Titles Bill. I assure your Lordships—my noble Friend knows perfectly well that he has had no communication with me on the subject—that I have had no communication with any individual upon it. What has led to this "understanding" I do not know; but I wish to give this statement concerning myself the most distinct, plain, and emphatic denial which is permitted in Parliamentary language.

SEA INSURANCES (STAMPING OF POLICIES) BILL—(No. 40.)

(*The Lord Carlingford.*)

SECOND READING.

Order of the Day for the Second Reading, read.

LORD CARLINGFORD, in moving that the Bill be now read a second time, said, the object of the measure was to cure a grievance to which merchants and shippers were at present exposed. Sea insurance policies required to be stamped; but should there be a mistake, and the policy be insufficiently stamped, there was no remedy—no additional stamp could afterwards be added, and the policy was void. This was a great hardship to merchants and shippers, because before the policy was signed, it was often difficult to avoid mistakes as to the requisite amount of stamp duty. If the insurers insured insufficiently they were subject to loss, which it was the very object of insurance to avoid; and if they insured too heavily they exposed themselves to the charge of having done so with a fraudulent design. A case of very remarkable hardship had recently come before the Court of Queen's Bench. A merchant of the City had sent out a freight made up of several distinct parcels, and had insured the aggregate value; but it appeared, on loss, that the stamp divided over the several interests fell short by the sum of 4*s.* of what the amount of stamps would have been had the interests been insured severally. The Court, with very great reluctance, was compelled to give judgment against the insurers. This Bill was intended to remedy that injustice. Its leading provision was that in future a policy of sea insurance by which the separate and distinct interests of two or more persons were insured, being stamped in respect of the aggregate of such interests, but not duly stamped in respect of each of such interests, might be stamped with an additional stamp or stamps at any time within one month after the last risk had been declared. The Bill had also a general provision applicable to policies of sea insurance, that they might be legally stamped after execution, on payment of a penalty of £100. The Bill would inflict no injury upon the revenue, and had received the assent of the other House of Parliament.

Moved, "That the Bill be now read 2ª."—(*The Lord Carlingford.*)

THE DUKE OF RICHMOND AND GORDON said, that the noble Lord had accurately described the grievance which the Bill was intended to remedy, and the mode in which the remedy was to be applied. The Bill had passed through the other House after some Amendments, introduced on the Motion of his right hon. Friend the Chancellor of the Exchequer, who gave his full sanction to the proposals, and he believed that if it received the sanction of their Lordships' House it would prove to be very useful legislation on the subject with which it dealt.

Motion *agreed to*:—Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Thursday* next.

AGRICULTURAL HOLDINGS (SCOTLAND) BILL.

BILL PRESENTED. FIRST READING.

THE DUKE OF RICHMOND AND GORDON, in presenting a Bill for amending the Law relating to Agricultural Holdings in Scotland, said: My Lords, it will not be necessary that I should detain your Lordships at any length upon the subject that I wish to bring under your consideration. The matter was so fully gone into in both Houses of Parliament during last Session, and the Bill that was passed as to Agricultural Holdings in England was so thoroughly and fully considered, that it leaves very little for me to say. Your Lordships will recollect that when I had the honour last year of introducing the Bill into this House, I stated that it was the intention of the Government to deal with Scotland in the same manner as they were then dealing with England, and that I should, if it had been possible, have introduced Scotland into the Bill which was then before the House, had we not found that to deal with England and Scotland in the same Bill might lead to inconvenience and confusion, and moreover that it might have tended to delay the English Bill in such a manner as to interfere with its becoming law last Session. Accordingly, we told the House that while we intended to bring in a Bill for Scotland in the same manner as for England, we intended to bring in a Bill for England in the first place, and that all the arguments that would be brought in the discussion would apply to dealing with Scotland, and that we should be able to bring in a Bill relating to that country which would, I hoped, commend itself to the approval of your Lordships. My Lords, I do not think that a Bill with reference to Agricultural Holding in Scotland is of so great a necessity as the Bill on the same subject was in England; and for this reason—that whereas in England I think I am justified in saying that leases are the exception, in Scotland the exact reverse is the order of things, and the exception in Scotland is where there is no lease. No doubt there are a certain number of holdings of no very great size, as to which probably there is no lease; but inasmuch as the Bill includes holdings as low, I think, as two acres, there are very few cases which will not be brought within the scope of this measure. And, at the same time, I must observe that it is my experience that when you get down to holdings of two acres in Scotland, you will not find much unexhausted improvements when the holding has terminated. But, my Lords, the great advantage which we see in this Bill, as applied to Scotland, is the same advantage as we saw in that applied to England; that for the first time it recognizes in that country the presumption of law in favour of the tenant—that the tenant has a legal right to be recouped for the money which he has put into the soil, if at the time of giving up his holding any portion of the benefit of the money so laid out is unexhausted, and which he would lose if he were obliged to give up the holding before he had reaped the fruits of his labour and capital. The Bill for Scotland—with the exception of some few changes in details which are made necessary by the different circumstances of the two countries—is exactly the same as that which has been passed for England. Like the English Act, the Scotch Bill will not interfere with leases, nor with the freedom of contract. The Bill, as in the English Act, sets out in the various clauses the terms of years in which improvements are exhausted or unexhausted, and therefore it gives a very good intimation of what is right and fair between landlord and tenant. It will also place the limited owner in the same position as the limited owner in England was placed by the Bill of last year. With regard to the Bill itself, that is all I have to say. But I will very shortly explain to your Lordships where it differs from the English Bill. There has been inserted in the Scotch Bill a clause which has not up to this time applied to Scotland, but which it is very desirable should be applied—I mean the clause which stands in the Bill as the 48th clause, where you are dealing with buildings. I am not speaking of fixtures such as are dealt with in the Act of 1875, because we have inserted in the Scotch Bill a clause of precisely the same character as in the English Bill; but I have embodied in this Bill which I hold in my hand that part of the Act of 1851—14 & 15 *Vict.* c. 25—which has reference to the building of cottages when put up with the written consent of the landlord. The clause which I now put into the Scotch Bill is not in the English Act, and for this obvious reason—that the Act of 1851 applied in that country, and therefore it was not necessary to re-insert that provision in the Act of 1875. I do not think it is necessary for me to go at any great length into the objects of the Bill. They are really precisely the same as in the Act which was passed last year, and I will only point out to you very shortly where it is necessary to vary from the form of the English Act. First of all, the English Act commenced on the 14th of February last, and we propose that this Act shall commence on the 1st of June, 1877; that will give a full period of two terms before it is brought into operation, supposing it finds favour in your Lordships' eyes and it passes through the House of Commons. With respect to the determination of the tenancy, we have put in a provision to suit the practice which is prevalent in Scotland when the time of giving up the house and the crops varies in point of time. The provision we have put in is in Scotch phraseology—

> "Provided that where there is a separate ish or term in the contract of tenancy, then that the last ish contained in the contract of tenancy shall be taken as the determination thereof."

There is a similar definition of the determination of the tenancy in the Sheriffs Court Act. With regard to the definition of the owner of land, the Act defines him to be the person who is capable of disposing of it. With regard to the various clauses of the Bill, we follow exactly the phraseology of the English Bill clause by clause. In respect of the "classification of improvements," it has been necessary to make some alterations so as to leave out those provisions in the Scotch Bill which are not applicable to that country. Clause 5 is the first clause; in that we have struck out the words "planting osiers, hops, and orchards," simply because they are not planted in Scotland. In the second clause we strike out "chalking, claying, and marling," which are unknown in Scotch agriculture, and therefore we only leave in "loaming and limeing the land." Then, with regard to the 16th clause, we leave out "tithe rent charge," because it is never paid by the tenant in Scotland; and in regard to the 24th clause, the powers of the Sheriff are to be exercised by him whether he is within or without the county; and we allowed that power because there is no official in Scotland corresponding to the Registrar in England. In Scotland the appeal is to be given to the Court of Session; whereas in England it is to one of the Divisions of the High Court of Justice. The clause relating to married women in the English Bill is struck out of this, it being provided for in the common law of Scotland; and the powers which in England are exercised by the Ecclesiastical Commissioners are to be exercised in Scotland, with respect to ecclesiastical lands by the Presbytery of the bounds, and with respect to charity lands by the Lord Advocate. Then, in regard to the notice of removal, which was a question that caused considerable discussion during the passing of the English Bill, that has been under consideration. The practice in Scotland has been that there should be a 40 days' notice, and that in the absence of such notice, by what is called "a passing of the location," it would be the full term of a year. We propose to alter that, and to give a full year's notice in all cases, as in the English Act. The provision does not apply to leases, nor to any interference with contract. In respect of freedom of contract we have followed the course of the Bill of last year, and, indeed, after the eloquent address of my noble Friend opposite (the Duke of Argyll), even if I were inclined to do—which I certainly am not—I should have very great difficulty in persuading your Lordships to interfere with the freedom of contract. These are the parts of the Bill as to which I have endeavoured to point out in what respects it differs from the English measure, and in all other respects it is as like it as it can be made. I propose that it shall now have a first reading, and that your Lordships shall consider it on the second reading on Friday week.

Bill for amending the Law relating to Agricultural Holdings in Scotland, *presented* by the Lord President.

The Duke of ARGYLL said, it would not be expedient to discuss the Bill until it was in print. If, as he gathered from the statement of the noble Duke, it was to be *mutatis mutandis* the same as the English Bill, the effect would be very much less in Scotland than in England. Probably the indirect effect of the English Bill had been somewhat considerable in inducing parties to have leases; but the Scotch Bill could not have that effect, because the universal practice in Scotland was to have leases. If the measure would increase the power of limited owners to make improvements and charge them on the inheritance that proposition would have his hearty concurrence.

Motion *agreed to*:—Bill read 1ª. (No. 44.)

House adjourned at Six o'clock, to Thursday next, half past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, 28*th March*, 1876.

MINUTES.]—Public Bills—*Second Reading*—Small Testate Estates (Scotland) * [107].
Committee—Report—Publicans Certificates (Scotland) * [45-115].

IRISH FISHERIES ACTS—LICENCES.

QUESTION.

Mr. SULLIVAN asked the Chief Secretary for Ireland, What action, if any, has been taken by the Inspectors of Irish Fisheries since their appointment in reference to the Act 29 and 30 Vic. c. 88, s. 3, and the 29 and 30 Vic. c. 97, s. 14, and the number of licences they have revoked for non-compliance with the Act?

Sir MICHAEL HICKS-BEACH: Preliminary inquiries have been made in 37 cases, and the Inspectors have decided on revoking nine licences for non-compliance with the Acts. In some cases an extended time has been given to the licencees to cultivate the oyster beds, and others are under consideration.

CIVIL BILL PROCESSES (IRELAND).

QUESTION.

The O'CONOR DON asked the Chief Secretary for Ireland, Whether it is not the fact that all process servers attached to the Civil Bill Courts in Ireland are obliged to keep books in which are entered all processes, renewals, or other court documents served by them; and, whether these books must not be produced by them at each sessions, and the correctness of the entries sworn to; and, if so, how it came to pass that some of the process servers declared their inability to furnish the information sought for in a Return ordered by the House during the last Session of Parliament as to the number of Civil Bill processes served in each quarter sessions district in Ireland?

Sir MICHAEL HICKS-BEACH: The process servers of Ireland are not under my control, and I cannot fairly be considered responsible for their acts. I may, however, state that they are required to keep books of the kind referred to by the hon. Member, and to produce them at the sessions. But they did not declare their inability to furnish, in reply to the Parliamentary Return in question, information as to the number of civil processes served, or on the other points mentioned by the hon. Member; but in a few cases they were unable to classify the numbers according to the amount, as required by the order, not being bound by law to enter in their books the amount of each process.

ELEMENTARY EDUCATION ACT, 1870—BRISTON SCHOOL DISTRICT.

QUESTION.

Mr. RICHARD (for Mr. Colman) asked the Vice President of the Council, What is the population of the Briston district; what was the nature of the final notice published in April 1875; whether the deficiency has been supplied; and, if not, why the order for the compulsory formation of a School Board has not been issued; and, whether it is a fact that the National School in Briston is not a Public Elementary School, having failed to comply with the requirement of the Act that the Conscience Clause should be hung up in the school, and the Time Table signed by the Inspector; if so, whether the School will receive a Grant for the current year, and what security there is that the National School will ever become a Public Elementary School?

Viscount SANDON: The school district of Briston, consisting of three parishes, contains a population of 1,175 persons. The official notice published in April, 1875, stated that there then was no efficient school, and that accommodation was therefore required for 198 children. It went on to say that if the existing school had a certificated teacher and provided suitable buildings, and if additional accommodation was provided for 78 children, the requirements of the place would be met. The official notice stated that if the requirements of the Department were not complied with, and if the requisite accommodation was not in course of being supplied with due despatch, within a period not exceeding six months the union of the three parishes would be made and a school board would be ordered for them. At the expiration of the six months the Department, following its usual course, made the ordinary inquiries through Her Majesty's Inspector, and was informed that a certificated teacher had been appointed for the existing school, that the contract had been signed for the required additional school accommodation, and that the managers intended to comply fully with the demands of the Department. Therefore, it is obvious that in accordance with the usual practice no school board could be ordered. The Department will be informed in due course officially by their Inspector whether their requirements have been fully carried out. It is needless to say that if it is then found that the existing school is not a public elementary school—that is, has adopted the Conscience Clause, and has a certificated teacher, or that the requisite accommodation is not supplied, the order will issue for the election of a school board.

TURKEY—LOANS OF 1854 AND 1855.

QUESTION.

Mr. W. GORDON asked Mr. Chancellor of the Exchequer, Whether the attention of Her Majesty's Government has been called to a Letter addressed on the 13-25th February by the Ottoman Minister of Finance to the Imperial Ottoman Bank, purporting to be published by the Order of the Imperial Ottoman Government, in which provision is made for the full payment of the Turkish Loan of 1855 out of the Egyptian Tribute, whilst no such provision is made for the payment of the Loan of 1854; whether Her Majesty's Government has given its sanction or approval to this arrangement; and, whether Her Majesty's Government considers that such an appropriation of the Egyptian Tribute will be in accordance with the 3rd Article of the Convention of the 27th June 1855, which provided that the interest and sinking fund of the Loan of 1855 should be a specific charge upon the Egyptian Tribute, only to the extent of the surplus of that Tribute which should remain over and above the part thereof already appropriated to the Loan of 1854?

The CHANCELLOR of the EXCHEQUER: A copy of the letter referred to, which appeared in the Constantinople newspapers, was forwarded to the Foreign Office by our Ambassador at Constantinople; but Her Majesty's Government have never been asked to give their sanction or approval to any of the arrangements of the Ottoman Government in regard to loans. I do not think I could answer the third Question of my hon. Friend within the proper limits of a reply; but I may say that the Papers connected with the Ottoman Loan will be laid upon the Table of the House in a few days, and that they contain the Correspondence respecting the Loan of 1854.

INDIA—MADRAS IRRIGATION WORKS.

QUESTION.

Mr. SMOLLETT asked the Under Secretary of State for India, If there is any intention to enforce payment from the directors of that prosperous reproductive undertaking, the Madras Irrigation Works, of the debentures in arrear due by that Company, for repayment of which two years' grace was given in 1879; and, whether there is any difficulty in taking possession of these works in default of payment of the instalments as originally fixed?

Lord GEORGE HAMILTON: If a Company whose receipts do not meet their working expenses is a prosperous reproductive undertaking, the Madras Irrigation Company comes within that category. The two Questions of the hon. Gentleman refer to matters which have for some time past been under the special attention of the Secretary of State and his Council; but I am afraid that they are matters which do not admit of a very satisfactory solution. As far as the Secretary of State is concerned, he will do all in his power to reduce the burden which this Company has imposed on the revenues of India.

EGYPTIAN FINANCE—MR. CAVE'S REPORT.—QUESTIONS.

Sir GEORGE CAMPBELL asked the First Lord of the Treasury, Whether Mr. Cave's Report is in the possession of the Khedive of Egypt; and, if so, whether Her Majesty's Government will consent to His Highness publishing the parts of the Report which he thinks proper to publish while other parts are kept back?

Mr. DISRAELI: The text of Mr. Cave's Report, I believe, is not yet in the possession of the Khedive of Egypt. The remainder of the inquiry of the hon. Gentleman is of a hypothetical character, and it is inconvenient, I think, generally to put such questions. The hon. Gentleman asks whether Her Majesty's Government will consent—which implies, of course, a request on the part of His Highness—to publish the parts of the Report which the Khedive thinks proper to publish, while others are kept back? I have to state that no request of that kind has been made by His Highness to the Government.

Afterwards—

Sir H. DRUMMOND WOLFF asked Mr. Chancellor of the Exchequer a Question of which he had given him private Notice, Whether he is in a position to state if the information on which Mr. Cave's Report is founded was supplied to him by the Khedive confidentially or with the understanding that the Report was to be published?

The CHANCELLOR of the EXCHEQUER: The Question assumes that the Report was founded solely upon information given by the Khedive. Now, the Report was not founded solely upon information given by the Khedive, but upon that information and other information obtained by my right hon. Friend. It was no part of the duty of my right hon. Friend, in the mission with which he was charged, to prepare a Report for the purpose of being published. He was instructed to obtain certain information for the guidance and information of Her Majesty's Government. In the conversations which he had with the Khedive a good deal of information was given to him by his Highness—some of which, no doubt, was intended to be of a confidential character, while other such information was of a less confidential character.

THE QUEEN'S VISIT TO GERMANY.

QUESTIONS.

Mr. ANDERSON asked the First Lord of the Treasury, If he can inform the House what precedents there are for the Sovereign leaving the Country during the sitting of Parliament; whether there are at present reasons of "high state policy" for so unusual a proceeding; and, what arrangements have been made to avoid any inconvenience to the business of the Nation through the absence of the Sovereign and of the Chief Secretary of State in attendance?

Mr. DISRAELI: Mr. Speaker, the last precedent for the Sovereign leaving the country during the sitting of Parliament was in the year 1872. The present reasons for Her Majesty's leaving England are strictly domestic, and arise from the bereavement of Her Majesty's nearest and dearest relative. Every arrangement has been made to avoid any inconvenience to the business of the nation through the absence of the Sovereign and Secretary of State in attendance—not the Chief Secretary (Mr. Cross), who, I am happy to say, has a seat in this House, and is now on my left.

Mr. ANDERSON : Perhaps the right hon. Gentleman will state whether, in the one precedent to which he refers, the absence of the Sovereign was for more than two days, and whether Her Majesty's absence was not practically during the Easter Recess, although Her Majesty left England two days before the House broke up for the Easter Recess?

Mr. DISRAELI: According to the Rules of the House, the hon. Member will, of course, give Notice of this Question.

Mr. ANDERSON: I beg to give that Notice now.

Mr. SULLIVAN : I thought the right hon. Gentleman would, perhaps, have answered at the same time the Question of which I have given Notice —namely, If he can state how far the Government, when advising the Sovereign to depart the Realm while Parliament is sitting, considered the ancient privilege of this House, the recognition of which is applied for and promised on the opening of each Session—namely, free access whenever they deem necessary during their deliberations to audience by the Sovereign?

Mr. DISRAELI: It was from no want of courtesy that I failed to answer the Question of the hon. Gentleman; but I omitted to observe that it followed immediately the Question put by the hon. Member for Glasgow. I beg to assure the hon. Gentleman that the ancient privileges of this House to which he has alluded will not be at all affected by the absence of Her Majesty, and that there will be free access to Her Majesty to any Member of the House of Commons who seeks an audience of Her Majesty at Baden, because Her Majesty has full confidence that these audiences will never be requested from idle curiosity.

ENDOWED SCHOOLS COMMISSIONERS —NUNEATON GRAMMAR SCHOOL.

QUESTION.

Mr. MONK asked the Vice President of the Committee of Council on Education, Whether the scheme for the management of King Edward the Sixth's School at Nuneaton, which was prepared by the Endowed Schools Commissioners in 1874, and submitted to the Committee of Council on Education, has received the approval of Her Majesty; and, if not, whether he will state the cause of the delay in settling a scheme for that school?

Viscount SANDON : The scheme for the Nuneaton Grammar School was approved by the Committee of Council on Education, according to ordinary practice, on the 17th of April, 1875. It was then, under the Act, obliged to be advertized for two months, and a Petition having been presented, it was laid upon the Table of both Houses at the earliest moment—that is to say, the 24th of June, 1875. The Session closed before the two months had expired during which it had to lie on the Table of both Houses, and therefore it has again to remain on the Table of both Houses for two months during this Session, at the end of which time, unless either House should address Her Majesty against it, it will receive the Royal Assent.

CRIMINAL LAW—PRISONERS AWAITING TRIAL.—QUESTION.

Mr. RYDER asked the Secretary of State for the Home Department, When the Return of all prisoners in England and Wales awaiting trial by Assize Courts, who were in various gaols before the last Winter Circuits, and who have remained untried until the Spring Assizes, with dates of their committal, which was moved for on the 21st February last, and ordered to be made, will be in the hands of Members?

Mr. ASSHETON CROSS, in reply, said, the Returns referred to by the hon. Member were not yet complete; but the moment they were they should be laid on the Table.

SPAIN—SEIZURE OF THE SLOOP "LARK."—QUESTION.

Mr. Serjeant SIMON asked the Under Secretary of State for Foreign Affairs, If he can afford any further information respecting the claims against the Spanish Government, arising out of the seizure of the "Lark" by the Spanish authorities in Cuba in 1872?

Mr. BOURKE, in reply, said, that the last information was given to the House in the course of last Session. Since then a great deal of information had been obtained from various sources, and owing to that information another case had been submitted to the Law

Officers of the Crown. In consequence of the opinion of the Law Officers of the Crown, a communication would be made to the Spanish Government, though what the nature of that communication would be he could not at that moment state.

BOROUGH FRANCHISE (IRELAND).

RESOLUTION.

MR. MELDON, in rising to move—

> "That the restricted nature of the Borough Franchise of Ireland as compared with that existing in England and Scotland is a subject deserving the best attention of Parliament, with a view of establishing a fair and just equality of the Franchise in the three countries,"

said: Sir, there is nothing new in the ground over which I shall have to travel. It will be my duty to draw your attention to the very wide difference which exists in the law regulating the franchise in Ireland and the enactments in reference to it in force in England and Scotland; but in doing this I merely lay before you arguments which have already been brought before this House repeatedly. I propose to point out, as shortly as I can, what are the differences which do exist, and I shall leave it to our opponents to show, if they are able, any good reason for the existing condition of things. Under the Reform Act of 1850 every occupier who was rated to the extent of £8, and who had paid all rates due to a certain date, was entitled to the franchise, so that to obtain the right to vote an occupier should be not only rated, but should have paid his rates. There were provisions in that Act enabling occupiers who were not rated to enter a claim; but this could only be done by paying or tendering any rates due at the time of making claim. This provision was most prohibitive, because it threw the onus on the occupier not alone of satisfying the ordinary conditions, but of paying all current as well as past rates due. In all Dublin no occupier was rated who paid his rent by the week or by the month, and the result of these restrictive provisions was to prevent a very large number of persons entitled to the franchise from obtaining it. Such great difficulty was thus thrown in the way of claimants for rating that the franchise was restricted to an extent that might be looked on as incredible. Now, these restrictive provisions were also in force in England, and it was not until the Reform Act of 1867 that anything like reasonable facility was afforded to persons who were not rated to obtain the franchise. Household suffrage was given by that Act in England; but it was so much fettered by restrictive provisions, that the ostensible object of the Act was very imperfectly carried out. Personal rating and the payment of rates were required, and one of the sections contained a provision that the occupier should be rated, under a penalty; but there was also a provision that if the occupier refused to pay the rate then the owner should be rated, thus in that case depriving the occupier of his franchise. When we remember the large number of persons who do not pay their rate, but who pay a bulk rent, it will be seen that these provisions restricted to a very considerable degree the household franchise supposed to have been granted by the Act. However, the occupiers would, in the first instance at all events, be put on the rate books, and they had the additional advantage that the overseers were compelled to serve notice of non-payment of the rates if not paid before the 1st of June, adding an intimation that if payment was not made before the 6th of June the occupier would lose his franchise. The suffrage thus given was truly niggardly and stingy. It imposed the payment of taxes on the poor; it deprived the landlord of a right he previously possessed of compounding for the payment of rates, and threw difficulties in the way of persons obtaining the franchise who were really entitled to it. A stingy measure of justice as was the Act of 1867 for England, the Reform Act of 1867 for Ireland was much less liberal. Household suffrage was not granted to Ireland, but the franchise was reduced to those who were rated over £4. Previous to the passing of this Act, in many of the boroughs of Ireland the owner was rated in all premises valued under £8; the consequence was that at the passing of the Reform Act of 1868, in all cases where the rating was under £8 the occupier was not rated, and in the vast majority of cases it was necessary to obtain a chance of rating before the occupier was entitled to the franchise. I have pointed out that under the Act of 1867 the rating of the occupier became compulsory in England, and notice of non-payment of rates and its consequences was obliged to be served on the occupier. Those provisions, however, were not extended to Ireland by the Act of 1868, and all the prohibitive clauses of the Reform Act of 1850 were allowed to stand. Indeed, where rates are in arrear the occupiers are virtually prohibited from being rated, inasmuch as before their claims can be entertained all rates must be paid up or offered. In the City of Dublin an occupier, no matter what may be the value of his house, is excluded from the franchise if he pays his rent weekly or monthly. If an occupier happens to make a separate letting of his premises he is disqualified, and where the rates are paid by the landlord for any reason whatever an occupier cannot obtain the franchise without paying the rates in arrear. I would like to ask why the provisions of the Act of 1867 were not extended to Ireland? Why was it that when facilities were granted to English occupiers to obtain household suffrage, the occupier of a tenement rated at more than £4 in Ireland should have these restrictive provisions imposed on him? The real fact seems to be that in 1868 there was really no time to consider the case of Ireland. The Reform Act for Ireland was carried at a very late period of the Session—at a time when little thought was given by English statesmen to beneficial legislation for that country. The Conservative Government had become aware that for Party purposes the Reform Act of 1867, with all its restrictive provisions, was a great mistake, and they were determined that bad as it was it should not be extended to Ireland. A dissolution was also impending, and Irish Members did not seem inclined to make any effort to secure for the Irish people the enjoyment of political rights. I find that on the main question raised in the debate, as to whether the rating should be £4 or over, but two Irish Members spoke—namely, Mr., now Judge Lawson, and the late Mr. Vance, and the only speakers besides were Lord Mayo and Mr. Chichester Fortescue. Moreover, there was then no Irish Party, and Irish questions were not brought so prominently before the House as now. The only reason put forward on that occasion for not lowering the franchise to a £4 rating was that if this were done there would be some difficulty in collecting the rates. Now, after the election of a new Parliament the result of the Reform Act of 1867 was very unsatisfactory. The large number of owners who paid their rates and were responsible therefore lessened to a very considerable extent the number of occupiers who were rated. The personal payment of rates interfered very seriously with obtaining the franchise, and in general the rating laws have rendered the Act of 1867 much less beneficial than was expected in its operations. The Liberal Party very soon became aware of the injurious effect of the rating laws with respect to the extension of the franchise, and accordingly in the next Session of Parliament after the passing of the Irish Reform Act a Bill was introduced which substantially abrogated all rating laws interfering with the franchise. But, unfortunately, the attention of the House of Commons was not at that time directed to the case of Ireland. By the 32 or 33 *Vict.* s. 9, c. 47, it was provided that the owner might enter into an agreement to pay the poor rate, &c. A premium for so doing was offered to him of 25 per cent. It was provided that the premium should be forfeited unless payment took place before the day fixed, to qualify the occupier to obtain the franchise, and that the payment of such reduced rate should be held to be payment in full by the occupier, who was empowered, if the owner failed to pay the rates in time, to pay them himself, and deduct the amount from the rent. The owner of premises was bound under a penalty to furnish to the overseer from time to time lists of all the occupiers under him, and the overseer was under a penalty bound to place the name of every occupier on the rate book, and no omission so to do, either by accident or design, could, so far as the franchise was concerned, interfere with the rights of the occupier. The notice directed by the Act of 1867 was ordered to be served, not on the owner or the taxpayer, but on the occupier. Now, this Act was calculated to confer the franchise on every person entitled, and, in fact, its provisions were calculated to force the franchise on persons without necessitating a single act of their own. A premium was held out to the owner to pay the rates. Both the owner and the tax-gatherer were compelled to see that the occupier's name appeared on the rate book, and nothing but wilful omission on the part of the occupier could prevent the franchise being conferred on him. In Ireland, however, a person entitled to the franchise must hold premises of a certain ratable value. He must be personally rated, and in many instances, no matter what the rating of the premises or the rent, he cannot be entitled to the franchise simply because by arrangement with the landlord the rent is weekly or monthly. If any omission to place a person's name on the rate book occurs by accident or design, no claim to be rated could be entertained unless large taxes in arrears are paid. In point of fact, in England every facility is given to obtain the franchise. In Ireland every possible impediment seems to be thrown in the way of obtaining political rights. It would appear that in Ireland the franchise is used to a great extent as a means of aiding in the collection of the poor rates; whereas in England all rating laws which, by any possibility, could interfere with the franchise have been abrogated. In order to show how the present state of the law excludes the great mass of the people from the enjoyment of the franchise in Ireland, I shall quote a few figures taken from Returns presented to this House, and they will prove that the state of England with respect to the borough franchise was the same before the Reform Act of 1867. From a Return obtained by my hon. and learned Friend the Member for Limerick (Mr. Butt) last Session, it appears that in 1866, 56 boroughs in England had less than 500 rated occupiers on their Parliamentary rolls; there were nine with less than 300 occupiers, and in one instance—that of Calne—there were but 144. There were 45 boroughs with less than 500 electors on the rolls, and altogether there were but 500,000 electors on the Parliamentary registers of boroughs in England. The state of England, therefore, before the Act of 1867, was very much the same as the present state of Ireland, and all that my Motion asks for is, that the laws which produced the difference between England in 1866 and 1876 should be extended to Ireland. To show the effects of the rating laws in interfering with the obtaining even of the present franchise, I will quote from a Parliamentary Return, No. 45, printed in the Session of 1874 — In Belfast, with a population of 174,413, there are 25,708 tenements value for £4, yet we find but 14,990 rated occupiers on the Parliamentary register; in Carlow, with a population of 7,842 and 635 tenements rated for £4, there are but 31, rated occupiers; in Cork, with a population of 100,518, and 7,190 tenements rated at £4, there are only 3,737 rated occupiers entitled to the franchise; in Dublin, with a population of 267,717, there are 23,247 tenements rated over £4, and only 11,004 rated occupiers on the registers; of the rated tenements there are 21,008 rated with a dwelling-house. Excluding the disfranchised boroughs of Cashel and Sligo, there are in the others 127,341 rated tenements with dwelling-houses, and only 44,920 rated occupiers on the Parliamentary register, and we find there are 37 borough Members, representing but 51,979 electors. In order to illustrate the great difference which exists between Great Britain and Ireland with respect to the borough franchise, I will call attention to the following statistics taken from the Return I before alluded to. Dublin, with a population of 267,717, gives the franchise only to 8,586 rated occupiers; whereas Leeds, with a population of 7,000 less—namely, 259,212—has upon its Parliamentary register no less than 43,792; Wolverhampton, with a population of 156,978, has 23,247 rated occupiers; Norwich, with a population of 80,386, has 14,663 rated occupiers; and Edinburgh, with 196,979, has 19,951; Belfast, with a population of 174,413, has on its register 14,990 rated occupiers. It is a remarkable circumstance that Belfast, with a much smaller population than Dublin, has 6,400 more electors. That arises from the fact that no one who pays his rent weekly or monthly can be put on the register, and the exceedingly prohibitory nature of the law with respect to the payment of the rates. Bradford, with a population of 145,830, enfranchises 24,288; Greenwich, with 123,408, gives the franchise to 19,703 occupiers; Aberdeen, with only 88,125, has on its register 13,185; Cork, with its population of 100,518, enfranchises but 3,737, whilst Greenock, with only 50,150, gives the franchise to 6,652; Limerick, with 49,853 inhabitants, has only 1,129 rated occupiers, while Gateshead, with 48,627, has 9,190 on its register. It will be seen from these figures what an enormous difference exists between towns in England and Ireland in the state of their Parliamentary registers. Now, there is but one other statistical Return to which I will direct the attention of the House, but it certainly is a most extraordinary one. With a population of upwards of 12,000,000, English counties are represented by only 801,109 electors; whereas the boroughs with a population of more than 10,500,000, are represented by 1,250,019, of whom no less than 1,200,800 are rated occupiers. In Scotland the counties, with a population of 2,106,673, are represented by 12 Members returned by 78,919 electors, while the boroughs, with a population of about 1,200,000, are represented by 26 Members returned by 171,912 electors, of whom 161,750 are rated occupiers. It will thus be seen that in England and Scotland the electors in boroughs far exceed the number of electors in counties. In Ireland, however, this state of affairs is entirely altered. The boroughs in Ireland, with a population of 866,356, are represented by 37 Members returned by 51,979 electors, of whom 44,920 are rated occupiers; while the counties, with a population of more than 4,500,000, are represented by 64 Members, returned by 175,439 electors. Now, these figures prove beyond doubt that the great mass of the population of Irish boroughs are excluded from the franchise, while the same class are admitted in England and Scotland. I am quite prepared to admit that Ireland may have been overlooked in this matter by reason of want of time and pressure of other business which was considered by some to be of more importance; but the time has now come for a change, and what I ask the House to do is to affirm that the existing state of things must be remedied. The enjoyment of political power by the people is the best and most certain means of securing peace and tranquility. England itself is, I think, one of the greatest examples of the change that can be effected by the political emancipation of the people. The Gordon Riots of 1780 and the Bristol Riots of 1831 would never have occurred if the people were in possession of their legitimate legislative rights. Compare the conduct of the people a few years since, when the great strike in Wales was in operation, with the action of the people during the riots I have referred to; it cannot for a moment be doubted that the feeling among the working classes that they had it in their power to vote for the election of those persons who make the laws that bind them, property and person, controlled the evil passions and quelled the excitement of the people at that time. Look at the state of Ireland at the present moment, influenced not even by the possession of the rights to which they are entitled, but merely by a hope that through Parliamentary action these rights will be accorded to them—all attempts at violence and discord have come to an end. Let the Irish people then see that this Parliament is prepared to extend to them equal rights with their Scotch and English brethren —let them see that the professions of English statesmen, that Ireland is governed by equal laws with the rest of the United Kingdom, is no idle boast, and great things will be achieved, and a great step attained towards the permanent peace and tranquility of the nation. All that my Motion asks for is that the franchise in Ireland should be assimilated to that in England, and that the slur at present thrown on the Irish people by excluding from participation in political rights the same classes of her population as in England and Scotland should be removed. Abrogate from the Statute Book the laws with reference to rating which prevent the acquisition of the franchise in Ireland—give the people household suffrage, accompanied by every reasonable means to facilitate the enjoyment of their political rights. The hon. and learned Gentleman concluded by moving his Resolution.

MR. BLENNERHASSETT, in seconding the Motion, said: Any one who has heard my hon. and learned Friend cannot doubt that he has made out a case. He has shown that very serious distinctions exist between those rights and privileges which Irishmen have a right to enjoy. Whenever the question of electoral reform comes up for discussion in this House the most striking cases of anomalies are derived from Irish representation. The hon. Member for Chelsea (Sir Charles Dilke) much as he may sympathize with us, will, I am sure, feel a pang of regret when he can no longer quote his favourite illustrations. I venture to hope that we shall to-night hear that it is the intention of the Government, on an early day, to call the attention of

Parliament to the whole subject of electoral power in Ireland. We cannot wonder at the great distinction that exists between England and Ireland on this question when we consider how differently it has been treated. There has been no re-distribution of seats in Ireland since the Union. There has been repeated distributions in England. With the exception of five seats dealt with in the Reform Bill in 1832, and the more recent disfranchisement of Sligo and Cashel, Irish representation is exactly the same now as it was at the commencement of the century. The greatest changes have occurred in the distribution of wealth and population; places which were formerly insignificant have become populous; and many districts which were formerly populous are almost entirely deserted; but there has not been any corresponding re-distribution of electoral power. The result has been to bring the Irish representation to its present anomalous condition; but I venture to hope that an early prospect will be held out of a reform of a state of things at once unjust, indefensible, and absurd. Ireland returns 103 Members, of these 64 represent counties, 37 boroughs, and the remaining 2 sit for the University of Dublin. Of the 101, exclusive of the Members who sit for the University, there are 59 who represent 66,000 electors and constituencies with a population of 1,500,000. On the other hand, there are 40 Members who represent 157,000 electors belonging to constituencies with a population of 4,000,000. There are 44,000 electors who return no more Members than 2,000 electors elsewhere, and 16,000 who elect 31 Members, while 121,000 elect 28. We have this extraordinary fact, that 66,000 electors, and constituencies of 1,500,000 possess a greater electoral power than do 157,000 electors, and constituencies of 4,500,000. The Irish county representation taken by itself is in a very anomalous condition. The rough-and-ready principle of the old Irish Parliament, which gave to every county the same number of Members, irrespective of wealth and population, has had some very strange results. Thus Carlow, with a valuation of £155,000, and a corresponding population and 2,000 electors, returns the same number of Members as county Cork, with a valuation of nearly 1,000,000, a population of 400,000, and 16,000 electors. These, no doubt, are extreme cases; but there are places with a population of 2,000 which return two Members, whilst there are 11 counties with a population under 100,000 which also return two Members. Again, the province of Leinster with a less population has twice as many Members as Munster. With two or three exceptions, there are no great towns and no great amount of urban population in Ireland. It might be thought a strong case would be made out, under those circumstances, for merging the borough seats into the counties; but there are great objections to the adoption of such a course on a large scale. It would at present practically amount to a measure of disfranchisement, and would be entirely opposed to the whole of our modern legislation. While the county franchise remains at £12 and the borough at £4 the transfer of city or county constituencies to boroughs would simply amount to the entire disfranchisement of the present borough electors. The absurdities of the present system are very great. The cities of Dublin and Belfast have a greater population and a higher valuation than any of the other Irish cities and boroughs, yet those two cities only return 4 Members, while the others return 33. There are 19 Irish boroughs which have a population of less than 10,000 each. Several have populations of 2,000 and 3,000, while important communities like Kingstown and Lurgan have no representation at all. Why should not the small towns of 2,000 or 3,000 people be disfranchised, and their seats either given to rising and populous communities, or grouped together as in Scotland? All that is asked for is, that the principles and methods that have been tried and proved in England and Scotland should be extended to Ireland. I do not hold that the mere fact of inequalities may be quoted as sufficient for demanding the intervention of Parliament. This is a question of degree; but when the absurdities are so great that they render the whole system ridiculous, and make it absurd for the purpose for which it was intended, then the time has come when it ought to be dealt with. This I believe to be the case in Ireland, and I cannot understand how any one can question the fact that it is so. There is no reason to resort to any novel or untried principles. We are simply asking you to extend to Ireland the principles which you have tried in England. There should be a re-distribution of seats for the purpose of adapting the representation to the wealth and population of the country. The absurd system which gives to the greatest Irish counties the same number as the smallest will have to be modified. The principle of the Resolution will have practically to be carried into effect, and the distinction which exists between the borough and county franchise will have to be done away with. I do not think there is anything unwise or unreasonable on our part in asking for this reform. It is inexpedient to maintain any unnecessary distinction between different parts of the United Kingdom. The retention of such distinction cannot fail but to have disastrous effect in Ireland. It is important that the Irish Members should be chosen as freely and justly as possible, so that they may represent in this House the actual sentiments of the Irish people. We are told that there is not a demand for a measure of electoral reform. It may be quite true there is no popular demonstration; but I am quite sure the most sensible and intelligent opinion of Ireland will go with you in any attempt to settle this question. I trust the Government will take it up, and without looking to Party opinion, race, or, religion, that they will so remodel the Irish representation as to make it a just and fitting medium for the exposition of the national will. The question you have to decide is simply this—Are the boroughs of Ireland to have the same rights as are now enjoyed by England and Scotland? and I hope the House will return a wise and generous answer to the Resolution of the hon. and learned Member for Kildare.

Motion made, and Question proposed,

"That the restricted nature of the Borough Franchise of Ireland as compared with that existing in England and Scotland is a subject deserving the best attention of Parliament, with a view of establishing a fair and just equality of the Franchise in the three Countries."—(*Mr. Meldon.*)

MR. DUNBAR said, he supported the Motion because the borough franchise was very much restricted in Ireland, as compared with England and Scotland, and this was an inequality and a defect which ought to be remedied. It had been estimated by Dr. Handcock that the valuation in Ireland was 25 per cent lower than in England, and that fact had the effect of keeping a large number of those, who if the valuations were equal would be entitled to the franchise, off the register of voters. But not only was the franchise unduly limited in Ireland, as compared with that of England and Scotland, but it was hampered by restrictions which did not exist in those countries. So many difficulties were thrown in the way that many were deterred from applying to be placed on the register. In England the overseers were obliged to place the ratepayers on the register, but in Ireland the system was different. It was unnecessary for him to have recourse to any sensational argument; but he must say that he could not see any reason why the people of Ireland should not be placed upon an equality with those of England and Scotland in the possession and right of exercise of the electoral franchise. They were as intelligent as those who had been admitted to the privileges in England—they took as much interest in politics and they were not so open to bribery. No instance such as that of Norwich, where out of a constituency of 14,000 no fewer than 8,000 received 3*s.* or 3*s.* 6*d.* per day during the election, could be pointed to in Ireland. Irish constituencies were, as a rule, exceedingly pure, and they looked upon the franchise as a trust to be exercised to the best of their ability. They might be influenced occasionally by drink, but not by money. After what Parliament had done it was hardly necessary to argue as to the advisability of establishing household suffrage. That proposition would, he thought, be supported by both sides of the House. It had been proposed for England and Scotland by the Conservative Party, and was said to have occasioned the Conservative re-action and to have brought the Conservative working man to the front. Whether that were so or not, he did not believe such would be the effect in Ireland; but that was no reason why those who were fully competent to exercise political privileges should be deprived of the means of doing so. No more important subject than that under consideration could engage the attention of Parliament. He confidently asked hon. Members to affirm this Resolution. It did not call for any immediate action; it only declared that there was an inequality which ought to be removed. The question of the re-distribution of seats in equal electoral districts was a difficult question which might well be left over for a Session; but he thought a case was made out for the lowering of the borough franchise in the same measure that it had been lowered in this country. A class of voters would thereby be brought in fully as competent to discharge the duties of voters as any who occupied that position in England. The change would make the people of Ireland more contented, and every town would be more amenable to the law and much more ready to consent to any change proposed by the law, if it was felt that their Parliamentary representation was made more real by the power of bringing the popular wishes to bear upon their Representatives.

Mr. BRUEN said, the Resolution of the hon. and learned Member for Kildare intimated that the borough franchise in Ireland was restricted as compared with that of England. The borough franchise in England had been altered, and was now household franchise; but if household franchise were introduced into Ireland, the effect would be, in his opinion. to disfranchise numbers. The franchise in our Constitution had always been looked upon as a trust, rather than as a right, and the effort of the Legislature had been so to frame the qualification that the persons to be admitted to that trust would be fit to exercise it. The qualification which they had heretofore had in this country was perhaps a rough test of those qualities which went to make up a good elector—namely, a property qualification. Taking the boroughs in Ireland, including Carlow, Dundalk, New Ross and Portarlington, with a united population of 69,570, and comparing them the boroughs of equal importance in England, with a united population of 70,000, he found that in the Irish boroughs there was 4,876 houses above the £4 valuation, and there were below that £4 limit 9,702 houses, the occupiers of which would be included in the scheme of household suffrage. There would then be a complete re-distribution of power, if these were admitted to the suffrage, for the constituencies would be nearly double. In the English boroughs, with which he compared these Irish boroughs, the number of houses above the £4 valuation was 6,321, while those below that amount only numbered 8,372. The discrepancy between those below and above £4 was not so marked, although the balance was on the side of the houses below £4. But when they came to inquire into the character of the houses there was a very wide difference between the houses of the boroughs in England and Ireland. There was no house in England under 26*s.* a year rateable value; but in Ireland there was a considerable number of houses much below that value. In Ireland there were houses valued as low as 5*s.* There was a large number valued at 10*s.* a year. If the occupation of a house was to be any test of a man's status in life, or pledge of his wish to rise in the world, it must be seen that persons content to live in such houses as these could not be the same class as those who occupied the houses of English boroughs. He thought it would be found that the class of men who occupied these houses in the country towns of Ireland were in reality agricultural labourers; whereas in England the houses he referred to were occupied by artizans. Of course it was different in the large towns such as Dublin, Belfast, and Cork, where, no doubt, the poorer class of houses were occupied by the working classes. He was not going to to say that the people who inhabited the poor class of houses in the country towns were not honest men; he was not going to say they were more open to bribery or undue influences than the occupants of the lower class of houses in England; but he maintained that they were frequently wanting in education, and were, from other causes, less able to take that calm and dispassionate view of a question which ought to be a qualification for the exercise of the franchise. As to the alleged difficulties of getting on to the register, in consequence of the peculiar nature of the Irish law, the proper time to answer them would be when the Towns Rating Bill was under consideration; but he believed that those who wished to be on the register need experience no obstacle. The apparent discrepancy between the number on the register and those who might be upon it, if it existed at all in Ireland, arose from the indifference of many of the lower classes, who did not care to exercise the franchise. A similar feeling had been found to exist in England, as was shown by the evidence given before the Parliamentary and Municipal Elections Committee by the Returning Officer for Hackney.

MR. SPEAKER reminded the hon. Member that he would not be in Order in quoting proceedings before a Committee which was now sitting.

MR. BRUEN said, he hoped to see the franchise in Ireland enlarged and extended so as to be on a level with that in England; but to do that hurriedly would not be for the benefit of the special class to be enfranchised or the country at large.

SIR JOSEPH M'KENNA said, the hon. Gentleman who had just sat down had treated them to one of those arguments which were familiar to them in such debates. His idea was that the value of a house had a great deal to do with the fitness of a man who occupied it to give a vote. He (Sir Joseph M'Kenna) would not deny that they might have some relation to each other; but we must judge of those things relatively, and he said that the people who occupied £4 houses in Ireland were just as intelligent, were as free from crime, and had as good a sense of their position and of the duties of society as the class enfranchised in England under the Reform Bill of the right hon. Gentleman. He wished now to call the attention of the House to the disparity of voting power in respect to population in the two countries. A population of 50,000 in England would give the franchise to 5,000; but in Ireland the number would be only 1,000 or 1,200, who would be entrusted with the franchise. In Ireland corruption and violence had decreased since the franchise had been extended. It appeared to him that representation belonged, as a right, to the whole of society. The case to be proved by the opponents of reform was that the householders in Ireland were not as fit as the 5,000 in England to be enfranchised, and that those members of society to be enfranchised in Ireland did not bear an analogy to the constituents in England. The hon. Member for Carlow (Mr. Bruen) had not even insinuated that they were unfit, although he had left the House to imply that they were. He should be sorry if his hon. and learned Friend (Mr. Meldón) did not see his way to making his Resolution sufficiently wide to include the municipal franchise; because, to a certain extent, Parliamentary franchise had grown out of the municipal franchise in England; and the same might be said in regard to Ireland. He had heard arguments advanced from hon. Gentlemen opposite, but he was glad to say not from the Treasury Bench, to the effect that property was what ought to be represented in the municipal franchise, and that those people who paid the rates should have the government of towns. The right of the individual man occupying a position in society, and who was known also by occupying a house, was quite as good for the purpose of representation as that man whose rent amounted to £1,000 a-year. The qualities of citizenship were those which ought to be taken into account, and not the fact as to how many taxes he paid. The Governments who had ever listened to the counsels like those that had been advanced by hon. Gentlemen opposite, had always been shipwrecked on their Irish policy. It should be remembered that the Irish franchise, whilst retained within the limits of the English, could not be made too wide; and it should not be forgotten that there were few people who were more free from the taint of corruption than Irish constituents. He hoped the Chief Secretary for Ireland would not identify himself with the opposition to this Bill.

MR. OWEN LEWIS protested against the insinuation that the mass of the Irish people were unfit to be entrusted with the franchise. Every man who was taxed for local and national purposes was entitled to have a voice in local and national affairs, and he sincerely trusted Ireland would have justice done her in this matter. There was nothing more calculated to destroy the confidence of the Irish people in the Imperial Parliament than to see the measures which they thought necessary for their welfare checked in the passage through that House. He did not make any complaint on the score of discourtesy; but, after they had been invited by the Chief Secretary for Ireland at the beginning of the Session to introduce well-digested measures calculated to remove the grievances of which Irish Members complained, and after this had been done, it was discouraging to find that none of their proposals were passed into law. Whatever might be the nature of the Bill, there was always some good reasons found for its rejection. Why should not Irishmen enjoy the same rights as Englishmen and Scotchmen, and Irishmen located in England? If the Irish Members complained of the excessive taxation to which they were subjected as compared with other parts of the Kingdom, and showed its injustice and inequality, they were told that that was a financial, not a political matter, quite out of their line altogether, and, in fact, that their taxation ought, in strict justice, to be increased. If they asked for assistance for their fisheries, languishing for want of aid, they were told that though the state of things was much to be deprecated, yet Government aid was not exactly what was needed in the case. If they asked to have their waste lands reclaimed and made available for the sustenance of millions, they were told of the insuperable difficulties in the way, and that besides it would not pay at all as a commercial investment. If they asked for better pay for their National School teachers, who were starving on half the stipend of English masters, they were met by a proposal tantamount to the establishment of the school board in Ireland, a system, the very name of which was abhorred by Catholics and Protestants alike, who desired above all things to have the education of their children based on religion. What he said was—"If you will not redress these grievances for us, give us the power to redress them for ourselves." The Irish people ought either to be admitted to the same advantages as Englishmen and Scotchmen enjoyed, or they should be allowed, in reason and justice, to manage their own affairs. Their country might remain united with England for all Imperial purposes, and yet possess a local Parliament, as Norway and Hungary did, whereby the ties which bound Ireland to England would be strengthened, and the Imperial Legislature relieved from a burden which it was becoming less and less able to bear. Those who looked on Ireland as being as much a part of the United Kingdom as Middlesex and Yorkshire, could not, in fairness or in logic, refuse to that country the same franchises as existed in those English counties. In denying those equal privileges to Irishmen, they practically admitted that they were a separate nation, and, as such, entitled to make their own laws. In some English boroughs—for example, Horsham, Huntingdon, Maldon, and Midhurst — the population was less than it was in Carlow, with which he was connected, and yet the constituency was treble that of the latter borough. In other words, to take a single example; while the population of Midhurst was 6,753, and the number of electors 954, the population of Carlow was 7,842, and the number of electors 307. If an Irishman settled in England he became entitled as a ratepaying householder to a vote in Parliamentary elections, and rightly so, for no man should be called upon to pay taxes to the State unless he had a voice in their expenditure. But why should he have to cross the Channel to enjoy such a natural and constitutional right, and was that man, if he returned to Ireland in his old age, to be disfranchised? The man was the same, his opinions were unaltered, his social status unchanged. Yet if he came to London they made him a voter—if he remained in Dublin they did not. If a native of Carlow settled in Maldon or Huntingdon he had a voice in making the laws by which he was governed, and distributing the taxes to which he contributed. But when he returned to Carlow, he was deprived of the right. To state such a case ought to be sufficient to prove its injustice; and he should waste no words in its condemnation. He appealed to the House and to the Government to accept the Resolution of his hon. and learned Friend the Member for Kildare to end a state of things which was self-condemned, which was a weakness to the Empire, and an absurd anomaly, and to extend to all the subjects of Her Majesty in these Islands, whether they were Englishmen, Scotchmen, or Irishmen, equal rights, just laws, and a common and equitable franchise.

Sir EARDLEY WILMOT intended to give a cordial support to the Motion of the hon. and learned Member for Kildare. He had hoped that when a Conservative Government came into office they would have introduced some measures which might have allayed the feeling of discontent which prevailed in Ireland; but he regretted that the question of Home Rule had been so much introduced, as it might tend to alienate support from those who did not subscribe to that doctrine. It must be admitted that great contrasts were to be found in the state of things which prevailed in Ireland as compared with this country. Liverpool, Manchester, and Birmingham had each a larger number of electors than the whole number of the city electors in Ireland. Leeds, Manchester, and one or two other towns, five in all, had a sufficient number of electors to outnumber the whole of the electors in Ireland, borough, county, or University. Ten of the boroughs in Ireland returned 10 Members to Parliament to represent 3,328 electors. Now that the right hon. Gentleman at the head of the Government had a great majority at his back, why should not the present opportunity be taken to equalize the electoral rights of the whole of these countries? He regretted that it had been the habit of the Government of this country to approach Ireland with, as it were, a drawn sword, and he thought that the least we could do now was to endeavour to compensate her for the great disadvantages under which she had hitherto lain. Hon. Members upon the other side had been asked to bring forward some practical measures, instead of commenting upon visionary grievances, and now there was a proposal of the kind suggested placed before the House. The electoral statistics set forth by the hon. and learned Member for Kildare were correct. It was time to put the electoral rights of Ireland on the same level as those of England, and to restore to Ireland privileges of which she had been deprived. If the grievances of Ireland were redressed, he believed the idea of Home Rule would, in a short time, pass away altogether. If the Prime Minister would apply himself to the redress of those grievances, he would thereby acquire far greater popularity than the measures which the House had been lately discussing would confer upon him.

Mr. REDMOND said, the silence of hon. Members opposite led him to hope that, notwithstanding what had fallen from the hon. Member for Carlow (Mr. Bruen), no serious opposition was intended to the Resolution. The hon. Member for Carlow, in opposing the Resolution, said the people of the towns of Ireland whom the Resolution would affect were, from being of a very excitable nature, not so well qualified to exercise the franchise as the people of similar classes in this country. He (Mr. Redmond) was not altogether surprised at hearing statements of the sort, because he had been accustomed to hear statements disparaging of his countrymen from hon. Gentlemen on the other side of the House. The hon. Member also intimated that there was a great degree of indifference among the people of Ireland on the subject of the franchise; but he (Mr. Redmond) hoped the House would agree with him when he said great interest was felt in the decision upon the Resolution, and by none more than those who desired that the House should meet the grievances of Ireland with the wise promptitude and ready spirit which added so much to the value and effect of a concession. The Resolution, if passed, would give great satisfaction, and it would be considered an earnest that the House was really prepared to consider and redress such grievances as were proved to exist. It was high time that some such proof should be given. There had been many protestations lately that there was every desire to deal fairly towards Ireland; but those protestations had been followed by a persistent refusal to assent to measures which Irish Members had brought before the House at the request of their constituents. Those measures had not always been rejected by large majorities; and those Representatives of large sections of the people of England and Scotland who had supported Irish measures deserved the gratitude of Ireland. A large measure of political power was lately given to people in the boroughs of England, and instead of repenting of the course then adopted, the question of the day in England was how soon another step in the same direction—namely, the extension of household suffrage in the counties—should be taken. The Reform Bill of 1867, supplemented by the Rating Bills of 1868 and 1869, enormously increased the constituency. It doubled, and in some cases almost trebled the constituencies of the towns; but in Ireland the measure of reform slightly, and in some cases almost imperceptibly, increased the constituencies of the towns. In England, 13 out of every 100 of the town population possessed the elective franchise; in Ireland less than 6. In Ireland they had a population of the boroughs amounting to about 900,000, who possessed in the aggregate only 48,000 votes, and returned 37 Members to the House. In England, leaving the large towns out of consideration, there were at least 60 boroughs, the population of which was at and under 10,000, who, possessing a smaller population, had an infinitely larger aggregate number of electors, and who returned 60 Members to the House. Hon. Members who opposed the Resolution had to justify this state of things—a state which could not and did not exist without exciting great dissatisfaction. The classes thus excluded from the privileges enjoyed by their fellows of the same class in England were aware of the fact and saw its injustice, and they had as great a desire as any other body to have and exercise the political franchise. If they opposed the Resolution they refused the gratification of that wholesome and laudable wish, and said—"We will perpetuate the injustice and inequality," which, as long as it existed, would only be borne with impatience and with a renewed sense of injustice. What were the considerations which the hon. Member for Carlow had brought forward? They were told that the circumstances of the country were dissimilar from those of England; that Ireland was very poor; and if they extended the Parliamentary franchise below the £4 rating they would bring in such a number of poor voters as to swamp the representatives of property. He thought the old theories about the necessity of guarding against the swamping of property by a great number of poor voters had been exploded long ago. Experience had proved that those theories were groundless. They had legislated for England in a directly opposite direction, and the present House of Commons was elected to a great extent by the artizans of the country. He was surprised to hear arguments of the ante-Reform period brought up again. The hon. Member said the houses were so bad in the Irish boroughs, and were not comparable to the comfortable houses in England. He (Mr. Redmond) did not know that the comfort of a man's house ought to be a test of his fitness to give a vote. Could the hon. Gentleman say that the people who resided in these poor houses were inferior in intelligence, in morality, in law-abiding qualities, in every civic virtue, to a similar class in England? He (Mr. Redmond) did not believe they were. It could not be denied that that class in Ireland were as intelligently alive to public matters, and as capable of taking their part in affairs, as any civilized community in the world. But they had, at present, a £4 rating that did not exclude the working classes altogether, and anybody who had canvassed in Ireland knew how unfairly that rating acted. The occupant of one house in a particular street would be found in possession of a vote, while his neighbour occupying a house equally good, and apparently a man in the same position of life, was deprived of the franchise. If they extended the franchise to every householder they would not get an inferior class of voters to those who now held under the £4 franchise. When they gave a man a vote the influence exercised upon his mind was a Conservative influence. He must feel a greater interest in the preservation of the institutions in which they allowed him to take a share. If the Resolution was opposed on the lines indicated by the hon. Member for Carlow, then he (Mr. Redmond) feared the opposition was guided on Party considerations. It was feared by some that if they extended the franchise in Ireland, they would thereby add to the Liberal and popular element in the constituency; and Conservative Members thought themselves bound by Party ties to oppose anything of the sort. He hoped the House would not base its decision on any such considerations. He believed the House would consider what was the best thing for the representation of the people of Ireland, and what was the best means to give satisfaction to the just claims of the people of that country. To satisfy the people of Ireland was not a matter of mean importance. He thought it was well worth the ambition of any Minister or statesman to gain, if he could, the confidence of the people of Ireland. He believed if that House granted the just demands of the Irish people the confidence of the people would not be withheld from it, and the result would be of great advantage to the Empire. He hoped the House would not, by rejecting this Motion, strengthen the impression which existed to a considerable extent in Ireland, that it was in vain to come to the House of Commons, or appeal to the Government, for the redress of any grievance, no matter how plainly it might be demonstrated.

MR. D. DAVIES said, he should vote for the Motion, unless he heard some better arguments against it than had yet been addressed to the House. An objection was made to the Irish Members bringing forward the question of Home Rule; but they ought not to give them any reason for doing so. It was complained that the Irish were Fenians; but he was not sure if he were treated as they were that he would not be a Fenian himself. Therefore, when the Irish brought a fair case before the House, it ought to be fairly considered. They were now asking Parliament to do for them what had already been done for England. They had now had experience of the Reform Act for eight years, and he thought there was as much common sense in the House of Commons as there was before that Act was passed. The Irish, who had not the same franchise, naturally thought they were unfairly treated, and would continue to be Fenians as long as the injustice remained unredressed. He wished to hear from Her Majesty's Government what view they took of this Resolution, which, in his opinion, was a step in the right direction, because he was well aware that, without the assistance of the Government, it must necessarily be defeated.

MR. O'CONNOR POWER said, Her Majesty's Ministers had been challenged twice to make what reply they could to the Motion so eloquently moved by the hon. and learned Member for Kildare. If it were true—and in Ireland they believed it was—that silence gave consent, he could join the hon. Member for Wexford (Mr. Redmond) in congratulating the hon. and learned Member for Kildare on the unparalleled success that had attended his Motion that evening. The hon. Member for Carlow (Mr. Bruen) had spoken of the Irish householders as poor men and devoid of enterprize. If that were the true character of the Irish householder, the legislation with which the hon. Member was connected had done more than anything else to kill the spirit of enterprize, to repress a sound public opinion, and to stifle the intelligence of Ireland in every department in which that intelligence had attempted to exercise itself. He believed that any hon. Gentlemen who opposed a measure of this kind were opposing the march of civilization. They were working against time, because he believed the best index to the progress of true civilization was when men developed a capacity for self-government. With the progress of education in England and Scotland, they had been made to feel the necessity of enlarging popular powers. The moral power of right seemed to advance in exact proportion to political intelligence and the education of the people, and hence it was that as they were moving along with the events of time, they found that it was impossible to hold any large section of their countrymen in a state of relative slavery. He said relative slavery, because the condition in which the Irish householder was placed as being governed without his consent was a condition of slavery. He believed the greatest evils under which Ireland had laboured had resulted mainly from the want of confidence in them which had been exhibited by their rulers—a policy which had declared the mass of the Irish people unfit to be entrusted with electoral power—a policy which had done more than any other policy to perpetuate strife for centuries, to place the Irish and the English peoples in opposite camps, to cultivate national hate, and prevent that union between the people of the two countries which every man who felt the impulses of international brotherhood and the influences of a common Christianity was desirous to promote. During the progress of this discussion, he was struck very forcibly with the recollection of some discussions that took place on the question of extending the franchise in the Irish Parliament some 20 years before the close of the last century. A very important Reform party arose in Ireland. It was founded on a perfectly legal and constitutional basis, and it was alive to the existence of corruptions in the public Departments; it was a Party thoroughly acquainted with the Irish national character, and it brought forward a measure in the Irish Parliament through the influence of Mr. Flood and Mr. Grattan, claiming the franchise for large portions of the Irish people. It advocated Catholic Emancipation and the enfranchisement of the Catholics. How was the Party of Reform met in the Irish Parliament? It was met by the Party of rigid Conservatism, and that was a case which illustrated a universal principle that violent revolution always trod closely on the heels of Conservatism.

Those who were interested in maintaining the corrupt state of things which failed at that time resisted the demands of the Reform Party. What was the result? Did it advance Conservative principles? No. It forced 600,000 men into the ranks of the United Irish Society, and forced those people to take a vow before high Heaven that they would effect a separation between Ireland and England and establish a Republic. What followed? In the confusion which resulted the Imperial conspirators—as he had recently called them in a speech which he had delivered at Liverpool—came upon the scene, and they had no other remedy to compensate for their bad statesmanship than to strike down the constitutional liberties of the people of Ireland. To a considerable extent the same policy had been pursued ever since, and he protested strongly against its continuance, for the reason that he longed as ardently as any Englishman could long, for the advent of a time at which it should not be possible to draw distinctions between Englishmen, Scotchmen, and Irishmen, but when all should be regarded alike as members of a great nation, possessing perfectly equal rights before the law. He therefore hoped that, with a view of sending a message of brotherhood to Irish people, an overwhelming majority of the House would pass the Motion of the hon. and learned Member for Kildare.

Mr. MULHOLLAND said, that in listening to the speeches of the supporters of the Motion one would think that no change had been made in the electoral franchise of Ireland since the Reform Bill of 1832. The question had, however, been discussed and settled as recently as 1868, and the settlement was agreed to by both sides of the House with great unanimity. Lord Mayo, who introduced the Bill, said the Government had come to the conclusion that there was no necessity for making it in precise conformity with the English Act, and Mr. Chichester Fortescue agreed with him that there was much to be said in favour of making the £4 rating the limit of the franchise. The effect of the Act had been to increase largely the number of Irish voters. In 1866 the number of electors in the borough of Belfast was 3,600; in 1873 it had increased to 15,000. Thus the Reform Act of 1868 had more than trebled the constituency of Belfast, and he understood that it was now much larger than in 1873. If the argument of hon. Gentlemen opposite were accepted that the franchise was a right to which every man was entitled, nothing could be said against the Motion; but the principle on which legislation had hitherto proceeded was that the franchise was conferred on individuals by the community, and for the benefit of the community. The fact could not be denied, that there were fundamental differences between the condition of Ireland and that of England; for there were in the former country as many as 10,000 persons living in houses under £1 a-year. That fact should not be lost sight of, when a man's education, self-denial, and all those habits which qualified him for good citizenship were taken into account as tests of fitness for the exercise of the franchise. It would take a very small amount of self-denial and perseverance, added to a moderate degree of intelligence, to enable a man to live in a house worth £4 a-year. If the franchise in English boroughs had been limited to £4 householders, and a proposal similar to that of the hon. and learned Member for Kildare had been passed, it would have added a fourth, or almost a fifth, to the number of electors; but in Ireland it would in 30 out of 34 boroughs more than double the present number on the electoral roll. The result of this would be to swamp altogether in many cases the existing electoral power, and to put in its place an altogether unknown and untried body of voters. He was quite prepared to admit that there were grounds for the complaint urged by the hon. Member opposite, that the present system of valuation in Ireland might be regarded as defective. The valuation for rating purposes was 25 per cent lower than that in England. The number of persons living in houses between £4 and £2 was about 23,000; and supposing 25 per cent were added to the valuation, that would be an important extension of the voting power both in boroughs and counties. He thought the propriety of having a re-valuation was well worthy of the attention of the Chief Secretary for Ireland. Changes in the direction proposed were not sought for by the Irish people. There was no subject on which there was more apathy than the downward extension of the franchise, and this was shown by the number of occupiers who allowed themselves to be disfranchised for the non-payment of their rates. There was no evidence of any strong feeling of the subject, and desirous as he was of supporting any change which would tend to the advantage of the country he must dissent emphatically from the propositions now before the House, and oppose such a premature disturbance of the settlement so recently concluded.

MR. STACPOOLE cordially supported the Motion, but regretted that it did not comprise a proposal for the issue of a Royal Commission to inquire into the boundaries of boroughs in Ireland. The borough which he represented (Ennis) was miserably small and did not extend a mile in any direction. The most absurd boundary lines had been laid down, avoiding the river, which was the natural line of demarcation on one side, and in some instances cutting through houses, and thus leaving them partly within and partly outside the Parliamentary borough. Boroughs must be enlarged or grouping would be resorted to, and that he deprecated as provoking jealousies between separate towns, and uncertainty in each as to the extent and character of its representation.

MR. T. A. DICKSON said, he wished to correct a statement made by the hon. Member for Downpatrick (Mr. Mulholland). He stated that the increase of the number of the electors in Belfast was due to the Reform Bill of 1868. He (Mr. Dickson) found that such was not the case, but that the extension of the franchise in Belfast was owing not entirely to the Reform Bill, but chiefly to the extraordinary increase of population. Why, instead of taking Belfast as an example, did not the hon. Member take his own borough of Downpatrick. The population of that borough in 1861 was 4,300, and the number of voters 245; whereas in 1873 the population had decreased to 4,156, and the electors had only increased by 10. Thus notwithstanding the Act of 1867, which the hon. Member said conferred such enormous voting power on the ratepayers, in his own borough there was only the trifling increase of 10 electors. The hon. Member left the question raised by the Motion entirely untouched. What they wanted in Ireland was equality of representation with England and Scotland, and there need be no apprehension of any reform which placed the Constitution on a broader basis. The hon. Member opposite had referred to the Irish borough rating as £4 rating; but such was not the case, for to place a householder on the registry his rating must be over £4; so that there were thousands of houses in Ireland rated at £4 which had not the franchise, whereas those that paid £4 2*s.* 6*d.* had the franchise. This was a legislative trick of the Act of 1867. In conclusion, he begged to say that he should cordially support the Motion.

MR. O'SHAUGHNESSY admitted the statement of the hon. Member (Mr. Mulholland) that there was some apathy on this question. It was not remarkable that no enthusiasm should be awakened among those to whom it was proposed to give political power. The cry for such an extension of power had generally come, not from them, but from the class outside, or from Members of that House who got at first very little support. They were regarded by hon. Members opposite as enemies of the Constitution, and by weak Liberals on his side, who were as much opposed to Reform as those on the other side, as crotchet-mongers to whom it was desirable to give a certain amount of support in order to keep alive a general spirit of Liberalism. Even on the occasion of the Reform Bill of 1867 no adequate enthusiasm could be aroused among those it was proposed to enfranchise. The measure was regarded as the work of agitators outside, or of Party schemers in that House. In Ireland, unfortunately, the class whom they now proposed to elevate had never seen great objects gained by constitutional means, and, therefore, they had not much enthusiasm about constitutional reforms. Everybody knew that wherever Fenianism or disaffection existed in Ireland, there was supreme indifference to the franchise, because it was not to any constitutional means that history had taught discontented Irishmen to look. They had no traditions of great victories won in a constitutional manner. They only remembered that up to a comparatively late period they were governed ostensibly and professedly with a strong hand. Catholic emancipation was delayed till the Lord Lieutenant said civil war was imminent, and the tenant-farmers for 20 years struggled in that House and had their claims rejected. It should be born in mind that many Irishmen were born disaffected. Indeed he himself was born disaffected, and he remained so until he learned from history what the Constitution of England could do for the people, when it was worked properly and fairly. When thoughtful men believed that circumstances were ripe for making concessions, it was surely wise to grant them. The masses might have no idea in one direction or the other on the subject. Could it be dangerous to apply to Ireland principles what had been successfully applied to England? The history of England since 1867, instead of proving that it was dangerous to concede to the masses privileges which they had not sought, showed distinctly, on the contrary, that it was wise to take such a course. The privileges then granted had been used with moderation, and the people had not only stayed the progress of Radical measures, but had given to hon. Members on the Government side a triumph, and apparently a permanent one. How did the history of Ireland affect this question? Taking into account the history of Ireland, the more indifferent the Irish people were on this subject, the more anxious a man calling himself a statesman should be to extend the privilege among the Irish people, so as to bring them within the scope of the Constitution, and to unteach the lesson which had formerly been given them. That lesson was, that the Constitution was but an empty name, and that it was useless to apply to the Government or to Parliament when a grievance arose. He was perfectly aware it was sometimes said that the lower classes in Ireland were of no weight in political matters, and this opinion was largely shared at the Castle; but anyone who had closely watched recent Irish elections, especially since the introduction of the Ballot, must have noticed that, in many instances, the popular candidates were carried by the paramount enthusiasm and influence of non-electors over the electors. Surely, then, it would have been safer and more constitutional to extend the suffrage to at least a portion of those who were at present non-electors? The majority of the Irish people believed, and he believed, that the popular, and, he might say, mob influence to which he had just alluded had hitherto been exercised with good results, but this might not always be the case; and, besides, such influence could not be used in accordance with the spirit of the Constitution. It was well known that on Irish questions, particularly on questions of this kind, the decision of the Government depended almost entirely on the views held by the Irish Conservative Members. This, no doubt, was in accordance with the rules of Parliamentary warfare; but he would make an appeal to them, though not with any expectation that it would prove successful. He would ask them to take into account the considerations he had adduced. The Irish Conservative Party constituted the most resolute and most capable oligarchy ever seen in these Islands. They had defended their tenets with extraordinary tenacity, and although they had been beaten in each successive fight, they were now as resolute as ever in maintaining their opinions, although they were much diminished in numbers. If even at the eleventh hour they would make some concession to popular feelings the Irish people would let them march out with all the honours of war. He could promise them also high confidence and high commissions in the ranks of the people of Ireland. They might rest assured that although their opposition to every just and necessary measure had been bitter and unreasonable, yet they had, by their manly, straightforward conduct won more admiration from the Irish people than Irish politicians who preached one set of doctrines at the street corners and on the hustings, and another in the drawing-rooms of Dublin Castle, or perhaps in the lobbies of the House of Commons. If even at the eleventh hour the Conservative gentry of Ireland would make concessions they might regain that just and necessary influence which it was highly desirable that an aristocracy should enjoy under a mixed Constitution like the one under which we lived. In reality, the Irish were not a revolutionary, but a Conservative people. If the Irish Conservative Gentlemen opposed a just measure like the present, their opposition would avail them for a while, but this stronghold would be ultimately taken, and the Party would then be weaker than they were before the assault. If they yielded graciously on questions like the present, they would disarm hostility. If the Irish gentry took warning from the fate of the French aristocracy and followed the example set by the Conservatives of England, they might some day find that the people of Ireland would forget the hostility of centuries and become their natural allies.

MR. PLUNKETT denied the truth of the assertion made by the hon. Member who had just spoken — that there was no community of feeling between the upper and the lower classes in Ireland. Formerly they lived among their people and were beloved by them, and it was only since unscrupulous agitators had come among them, that the people were taught to regard as interlopers those whom they held in honour before. But he would ask, who were the interlopers —the gentry who could point to a 600 years' residence on their land, and had done their best for their people, or those who had come among them to do their worst? It was said that the franchise in Ireland was not equal to that of England. Why, there was no equality in the franchise in England itself. A man in an English borough might take a house over the border line and lose the vote which he had before. If the franchise were the same all over the rest of the United Kingdom, and only Ireland was made the exception, he would agree with hon. Members opposite that their case was a strong one; but that anomaly as it was called existed in Scotland too. He did not think that this was an opportune time for meddling with this subject, considering that there was a large section of the people of this country in favour of equal electoral districts. But if equal electoral districts were introduced into Ireland, the effect of it would be that Ireland would have only 75 Members instead of 105, as she had at present. No change in the English system had been made without some strong grounds being shown for it; and if good grounds were shown for a change in Ireland, he did not know who would oppose it, but he felt sure the Irish upper classes would not.

LORD ROBERT MONTAGU complained that the hon. Member who had just spoken had omitted to state that the Irish people were leaving their shores every day in great numbers in order to join their brethren and friends on the other side of the Atlantic, where they enjoyed greater comfort and contentment than they could in Ireland. If those bonds of unity and affection between the upper and lower classes in Ireland really existed, as the hon. Gentleman asserted, would such a state of things be the result? But both the hon. Members for Downpatrick (Mr. Mulholland) and Carlow (Mr. Bruen), who had spoken against the Resolution proceeded on an assumption which was directly contrary to that assertion. The hon. Member for Downpatrick spoke of "social strata," and the hon. Member for Carlow said what the House had to consider was, whether the classes into whose hands they would put the franchise by lowering the qualification would be fit to exercise it. Now he submitted that with respect to the government of a nation they had no right to consider it, as a geologist would a rock, by its particular strata. They were bound to show that there were some essential differences between the ranks of the population, if they attempted to legislate for them unequally as different classes. He would say in the most unqualified manner that a mere rating value was not an essential principle by which they could divide men into classes, and the Prime Minister himself had admitted it when he said in 1867 he would have neither a £7, a £6, nor a £4 qualification, which were all irrational, but would go to household suffrage at once. It was said Ireland was a poor country; he was sorry for it. He would not enter into the causes of that poverty; but he said it was the fault of England that Ireland was poor, and this country owed it to Ireland to make some amends for that poverty. Ireland was poorer than England; but those who lived in poor houses might be equal in intelligence and education, and superior in moral worth to those who belonged to a richer country and lived in larger houses. Instead, therefore, of fixing a limit of £4 in Ireland, while they gave a household franchise in England, they ought to say they would go down at least as low in Ireland as in England. Was wealth the only qualification for the franchise? If so, this was no longer a constitutional Government, but a plutocracy. In all moral qualifications Ireland, he maintained, was better qualified than England for the exercise of the franchise. There had been Norwich and Boston Commissions which declared bribery and corruption rampant in England. The vote of an Englishman could be purchased for a pot of beer. But things were very different in Ireland. He could speak from experience. It was said to be a cheap election in England where the cost was not over £1 per man polled. But he had gone over to Ireland, and been returned for a large county by a majority of 2,000 votes, while the expense was a mere nothing—not one-twentieth of the cost of an election in a small place in England. Without going through statistics of crime and immorality, he contended that the moral qualifications of Ireland to renew the franchise, especially with regard to politics of elections, were greater than those of England. He did not, as the hon. Member for Downpatrick said, claim the franchise for every man as a right; but he said that it was an aim that they should put before themselves in this House—happiness and contentment, as in fact Conservatism; and if an Irishman felt that an Englishman inferior to himself, or even as good, had a voice in the destinies of the country while that voice was denied to him; if he knew that his wants were disregarded by that House; if his policies were denied, while aid was given to Scotland; and if he lived in a town where there was no regular municipal authority or corporate life as in England; and if he felt that when all those questions were brought before the House, they were hardly debated, and were not even answered by the Government—that the debate was, in fact, kept up by one Member of the House alone, how was it possible that he could be contented? It was because of all this that the Irishmen sought Home Rule, and it was because of all this that they were always saying, for God's sake do something for the Irishmen. But they refused to do anything. If he were a Fenian, if he were interested in the dismemberment of the Empire, he should like nothing better than the Government should treat this question with coldness, and refuse it that consideration and debate which, so far, it had not got. Nothing could be better calculated to stimulate the Home Rule movement than the Government refusal to consider this question. At least, they ought to put Ireland on a level with England in regard to the rating. He appealed to the Government to let the vexatious restrictions with regard to rating be removed, so that every man who was rated at £4 might be registered. He affirmed that the restrictions were invented, because we mistrusted Ireland, and urged that, as mistrust was fatal to the happiness of married life and to the maintenance of any friendship, so it was incompatible with the relations which ought to exist between this country and Ireland; we were wedded to the sister Island, and ought no longer to mistrust her people.

Mr. GIBSON desired to point out the specious character of the Resolution, which embodied a general proposition that must command assent; for he desired to see, as far as it could possibly be accomplished, having regard to the conditions and circumstances of the two countries, equal laws extended to England and Ireland; but there were such things as verbal identity with real difference, and substantial identity with verbal difference, and in this case the difference was far more apparent than real. The most important question was, whether the limit of £4 should be removed and whether household franchise should be granted, and hon. Members had hardly addressed themselves sufficiently to that point. They had not considered what would be the difference between household franchise as it existed in England and as it would exist if introduced into Ireland. Rating was a branch, and only a branch, of the question. Those who occupied tenements valued at more than £4 paid the rates, were bound to pay them, and were entitled to the franchise; but, as in England, not all who were rated secured the franchise. The occupiers under £4 had the rates paid for them by the landlords, and had never had the franchise, and, as long as this was so, it was necessary to show that the limit ought to be removed before going into many other questions. Under every system we must be content to tolerate anomalies, such as had been pointed out and could easily be found in England, the larger towns having fewer Representatives in proportion to population than many smaller constituencies; and unless he found that positive gain would result he should not be much swayed by suggestions for the removal of the anomalies existing in Ireland. The junior Member for Limerick (Mr. O'Shaughnessy) had said—"Give us the realities and not the forms of freedom." Well, were they Irish slaves, or were they free? [Mr. Meldon: Hear, hear.] The hon. Member said he was a slave. He (Mr. Gibson) maintained that they had all the realities of freedom, though some of them perhaps might be put into better forms, and any assertion to the contrary was a mere flourish of rhetoric. The noble Lord's argument for regarding things in their moral aspect and getting rid of class distinction was an argument for manhood suffrage; for there were moral men without homes and without coats; and if we disregarded houses and the pecuniary stakes that men might have in the stability of the Empire, we should practically come to manhood suffrage.

Lord ROBERT MONTAGU explained that he did not say he would ignore all class differences; but that we were not to imagine them where they did not exist, and distribute the franchise according to those divisions, but when we distributed them we should consider moral fitness.

Mr. GIBSON, accepting the correction, said, that the occupation of a house in England argued the possession of a greater stake in the country and a higher standard of comfort than the occupation of a house in Ireland; and the real question was, whether it was desirable to remove the restriction of £4, and to introduce household franchise into Ireland. The arguments based on the extension of the franchise in England in 1867 had a false assumption underlying them; and that was, that the substantial increase was to be found in the numbers of occupiers whose houses were rated at £4 and under, and they also overlooked the fact that so many borough voters were to be found in the great centres of industry that had grown up since 1832. There was a broad and substantial distinction between what household suffrage in boroughs in England was, and what it would be in Ireland. Considerable light was thrown upon this question by a Return which had been laid on the Table of that House in 1865, from which it appeared that in England and Wales the number of male occupiers of houses the rental of which was under £4 was 130,256, while the number of those occupying houses of a higher rental was 1,209,622, so that those under £4 were but one-ninth of the whole. Therefore, by giving votes to those who lived in houses under £4 in rental value, the whole control of the Legislature would not be handed over to them, although they would doubtless have a reasonable voice in the selection of Members of Parliament. Testing the question by the rateable value of the houses, instead of by the amount of their rent, he found that the number of those in the boroughs of this country rated below £6 was 370,431, while that of those rated above £6 was 969,447, the proportion of the former to the latter being one-third. Therefore, by giving votes to the occupiers of the former class of houses, the whole control of the constituencies was not handed over to them. From another Return which had been laid upon the Table of the House that morning he found that in 50 Parliamentary boroughs in England there were 69,426 male occupiers of houses under £4 valuation, as against 301,300 occupying houses of a higher valuation. This proportion between the two classes of occupiers held good throughout the whole of the boroughs in England and Wales, with the exception of Norwich, in which there was a preponderance of the smaller class of occupiers. The general result of these figures came to this—that there was a vast majority of houses in English boroughs which were held at a rent of over £5. Turning to the case of Ireland, he found from a Return made some 18 or 19 months ago that, putting aside Dublin and Belfast, and dealing with 29 boroughs that returned 33 Members to Parliament, the number of male occupiers of houses under £4 rental was 42,845, against 30,907 who occupied houses of a higher rental; in other words, that those who occupied houses valued at less than £4 far outnumbered those whose houses were valued at above that sum. Was it possible to suggest a distinction wider and more complete between English and Irish household suffrage in boroughs than these figures showed? The gross valuation of all the houses in those 29 boroughs held under £4 only amounted to £116,218, while the gross valuation of the houses over £4 was £1,226,589. So that if the franchise were extended as proposed, they would have all the householders occupying houses over £4 in value far outnumbered by those occupying houses under £4, although the latter were not possessed of one tithe of the property of the others. He found that in four Irish boroughs, Dungarvan, Drogheda, Ennis, and Galway, the male occupiers of houses valued at less than £2 were in a large majority over all others occupying houses of a higher value. Even in the town of Limerick, out of 7,254 rated houses there were 1,767 held at a valuation under 20*s.* Was there any house in England valued at so low a figure? Galway, which sent two Members to Parliament, had 342 houses valued at 5*s.* Under these circumstances, he contended that it was impossible to assimilate the borough household suffrage of Ireland with that of England. He had not the means of ascertaining with certainty the number of houses held in England under £4; but in the case of Ireland they were divided even to those held under 20*s.* He believed, however, that of the houses in England held under £4, the majority were over £3, few were under £3, and an inappreciable number, hardly any at all, under £2. The argument he ventured to submit to the House was this—In England by adopting household suffrage in boroughs, a most respectable and desirable class was admitted to share in our Representative institutions. They inhabited houses which evidenced a high residential standard and a substantial measure of comfort. In Ireland, on the other hand, judging by the valuation of the houses, the residential qualification was small, the standard of comfort anything but high; and there was this broad difference which ought to be decisive of the Motion—that whereas in England a moderate share was given to the new electors, in Ireland, if the changes sought for were made, everything would be handed over to the humbler class of electors who held under £4, in many instances to those who held under £2, in some to those who held lower still. It would, in short, practically amount to the enfranchisement of a new class, and to the disfranchisement of the old. That was a circumstance not to be lost sight of, particularly as the House had been assured by the hon. Gentleman the junior Member for Limerick that the new class did not care for the privileges sought to be given to them, but were quite indifferent on the subject. It was impossible that this question could be suggested for the serious consideration of the House of Commons, except in connection with the scheme of re-distribution; but he presumed that hon. Gentlemen who represented Irish boroughs which were not very large would hardly like inquiries to be made as to whether their constituencies had anything to say why sentence of death should not be passed upon them. He presumed, too, that hon. Members representing constituencies having two Members, like Limerick, Waterford, and Galway, would scarcely like an inquiry as to whether those cities and boroughs were still to have each as many Representatives as the City of Dublin or the borough of Belfast, which outran them six-fold in electors and far more in general population. It was impossible by the verbiage of an Act of Parliament or the terms of a Resolution to change entirely the economic condition of a nation. The present condition of the lower class of rated occupiers in Irish borough, tested by the fair and reasonable standards he had referred to, was totally dissimilar to that of the analogous class in English boroughs. When there was real identity—and he hoped it would be soon—between them in those respects, then would be the time for an hon. Member to bring forward the question of sweeping away restrictions, and making identical the franchises in the two countries. For himself, believing there was more real identity between the existing franchises than there would be if the proposed change were adopted, he would, without hesitation, vote against the Motion.

MR. COLLINS said, he thought he could demonstrate from figures and facts that the Resolution of his hon. and learned Friend ought to be adopted. He had taken the number of electors in 30 cities and boroughs in Ireland—excluding Dublin—and their population, and he found that the number of electors was 39,108, while the population amounted to 598,966. Then he selected 30 cities and boroughs in England, and found that the number of inhabitants was 611,527, while the electors numbered, not 39,108, but 85,464, the proportion of electors to population being, in the case of Ireland, as 1 to 16, while in the case of England it was as 1 to 7. That simple fact proved that the borough franchise in Ireland was unduly restricted. The hon. Member for the county of Carlow (Mr. Bruen) had stated that there was no difficulty in any man in Ireland who possessed the necessary qualification getting on the register of voters. He would mention what happened in his own experience. Since he was elected a Member of that House, although he enjoyed the franchise for 30 years, his name was objected to during his absence from the country owing to ill-health, and he was struck off the list, not being present to defend himself. More than that, the gentleman who had objected to him, and who was the resident proprietor of nearly the entire borough, was himself objected to, and his name was struck off also. On the subject of qualification, he might say that, in some of the smaller boroughs with which he was acquainted, a system of manipulation of the rating value was sometimes resorted to, by which numbers of the poorer inhabitants were practically disfranchised. It was said the Irish people were indifferent to the franchise; but on consulting statistics he found that out of 39,000 Parliamentary voters in Ireland 32,727, or all but 6,000, voted at the last General Election, and if allowance were made for the constituencies in which there was no contest the number of electors who did not vote would be even smaller. That settled the question as to any supposed indifference. All things considered, he did not see how the Prime Minister, after introducing household franchise in England with such happy results, could consistently refuse to Ireland the right she now claimed, and he had therefore much pleasure in supporting the Motion of his hon. and learned Friend.

Mr. CALLAN said that in the borough which he represented (Dundalk) there were only 300 illiterate persons between the ages of 20 and 40 out of a population of 12,000, and there were 1,590 people qualified to exercise the franchise as far as reading and writing were concerned. Another striking fact which had come to his knowledge was that of 57 enginemen residing at a certain railway junction only five occupied houses rated at or above £4, although they were receiving each in wages upwards of £100 a-year. Notwithstanding their apparently inferior condition, he believed that Irish engine-drivers and firemen were superior to the English, because fewer accidents occurred on their lines. In view of the facts he had stated, he did not see how it could be contended that the Irish constituencies were so greatly inferior to the English in point of intelligence. In fact, the only constituency in Ireland which made a bad appearance was the one which returned the only borough Member (Mr. Mulholland) who had opposed the Motion—namely, Downpatrick. Of all the Irish boroughs it was the poorest, the most illiterate, and, except Portarlington, the smallest. The Prime Minister had no disinclination to dish the Whigs. If the change asked for were given, the Whigs could only gain three seats in the North of Ireland; but he promised the right hon. Gentleman, on behalf of the Irish Party, that they should not obtain the seats. He hoped the Government would accept the Motion of his hon. and learned Friend.

Dr. WARD said, the principal objection urged against the Motion was that the householder in Ireland was, on an average, in a very much worse condition than the householder of England. They could not deny that materially that was the fact; but he emphatically denied that intelligently for the purposes of government the householder in Ireland was inferior to the householder in England. The right hon. Gentleman the Member for Birmingham (Mr. John Bright), on a former occasion, told the people of Ireland that they of all men in the United Kingdom had the strongest interest in a reform of the Imperial Parliament and the extension of the franchise. Then they were threatened with re-distribution. Did the right hon. Gentleman at the head of the Government re-distribute seats when he extended the franchise in England? Very slightly, indeed. It was notorious that the franchise was unequal in the two countries, and that the difficulty of getting the franchise even where they were qualified in Ireland was greater than in England. He himself had a house in Dublin for some years, for which he paid the taxes regularly. He did not interfere much with politics, and one day the tax collector came and told him that he had no vote, his name having been struck off the Register because, not knowing whether he was a Whig or a Tory, the agents of both parties had objected to his name at the Revision Court. In the borough he represented (Galway) many persons were deprived of the franchise simply owing to the restriction which obliged a man to go to a Court of Law to prove his right. It was said there was no crying out for this franchise, but that was for the same reason that a person who had not been educated did not appreciate the value of education. Hon. Members opposite were afraid to extend the franchise. Why? In England they had extended it, and the result had put the Conservatives in power. Irish Conservatives were afraid of the extension in Ireland, and why? Because they knew they did not represent the people like the English Conservatives did, but only a ruling fraction. In justice there had not been a word urged against the claim now set up. He warned the House that if the system of refusing equal treatment to Ireland was continued much longer the people of that country would say it was useless seeking to obtain justice by legitimate means, and there would be a revival among them of a bitter spirit which would produce very evil consequences.

Mr. M. BROOKS remarked that Liverpool had been instanced to prove that there was no inequality between the franchise in English and Irish boroughs. He found that in Liverpool, with a population of 493,000 there were 57,000 registered electors; but in Dublin, which had a population of 267,000 the registered electors were under 15,000. In Liverpool 1 in every 9 of the ratepayers was entitled to vote; whereas in Dublin there was only 1 in 20. How could they say, under those circumstances, there was not inequality between the two countries and a wrong to Ireland?

The SOLICITOR GENERAL for IRELAND (Mr. Plunket) said, the debate had travelled over a great deal of ground which was not exactly covered by the Resolution before the House. He did not, however, intend to follow hon. Members into the review of the other alleged grievances of Ireland besides those connected with the borough franchise; though he might perhaps remark that it was hardly fair to complain that all those subjects were not fully discussed in the Imperial Parliament when they remembered how much of the time of the present Session had been already occupied usefully and well in discussing Irish questions. And if they could form any estimate of the future of the Session by the appearance of the Order Book, he rather thought that, at all events, so far as the Tuesdays and the Wednesdays were concerned, hon. Members for Ireland on both sides of the House had taken very good care that all those questions should be thoroughly and fully discussed. To-night they were dealing with the particular question set forth in the Resolution proposed by his hon. and learned Friend, to the effect that household suffrage should be introduced at once into the Irish boroughs in substitution for the suffrage which was established by the Reform Bill of 1868. That, as the House would see, was only a small fragment of a great question. It was but a small part of the question of an Irish Reform Bill whenever it might become necessary and be deemed right by any Government to bring forward such a measure. It was only one stage in the history of the question of Parliamentary Reform, which had been steadily but gradually progressing for many years in this country. It was that gradual progress and that wise moderation in the conduct of such a question which had enabled the country to pass through various stages of reform without revolution, and which had produced great improvements in the electoral system without any sudden shock or evil consequences. In that debate it seemed to be assumed that as the borough franchise in England was such and such, *ergo* the Irish franchise ought to be assimilated to it. It was further assumed, in order to support the proposition, that they were not so much to consider the adaptability of a certain degree of restriction on universal suffrage, but that the time had come to apply as strongly as possible the supposed claim for universal suffrage in the boroughs of Ireland. He would tell them why that was so. Did anybody pretend to say that a great many of the arguments advanced that night if they were good for anything were not good for the inherent right of every one who had a house of any kind in a borough to vote? But if they were not to consider the peculiar position of the man's house, why should they trouble about his having a house at all? Why not rest on the mere right of any individual residing in a borough to vote for Representatives in the House of Commons? He repeated that this was only part of a great question. They were now asked for the first time suddenly, on a Resolution proposed by an hon. Member and without reference to all the other parts of this most interesting problem of Parliamentary representation, to establish household suffrage in the boroughs of Ireland, and thus to obtain a perfect assimilation between the franchise of the two countries. There never was a time in the history of this question when the franchises of England and Ireland were exactly on an equality. That might be right or wrong; but when they asserted it as a right that they should at once place the suffrages of the two countries on an absolute equality, he must remind them that they were advancing a proposition which had never been put forward before. Without going further back in the history of this question, what, he would ask, was the proposal made in 1866 by the Government which then represented the Liberal Party in that House? When Lord Carlingford dealt with the question of the borough franchise in Ireland, what did he propose? Was it household suffrage? No. Was it a £4 suffrage? No. It was a £6 rating suffrage. When the Reform Bill was carried by the present Prime Minister he dealt fully and largely with the question both in England and Ireland. The subject was maturely and deliberately considered, and he might almost say with the assent of both Parties, the borough franchise was established as it still existed in Ireland. There was no capricious selection of the £4 rating; the subject was fully discussed in the House, and the same arguments were then adduced which had been urged on the present occasion. They were dealing with a difficult, delicate subject. They must go into the whole social condition of the country, and not apply with too great generality broad principles without giving full weight and influence to those other circumstances which must be taken into consideration in order to arrive at a wise and safe conclusion. It was not in a spirit of hostility or insult to the country that he said this, but because there were certain facts to which they could not shut their eyes. All the circumstances of the two countries must be taken into consideration. The statement of his hon Friend behind him (Mr. Mulholland) had been questioned—that the Act of 1868 had trebled the borough constituency of Belfast; but on reference to the Returns he found that the number of electors on the register in 1866 was 3,615, while three years after, in 1869, the number on the register was 12,168. He therefore contended that his hon. Friend was perfectly justified in the assertion he made—that, in point of fact, no small addition had been made to the constituency of that important Irish borough. Was it, then, wise to tear up the tree which they had planted to see how it was growing and plant something else in its stead? If they were to give the franchise to householders, they must take into account the character of the houses in which they lived, and which were a test of the character of the voters who lived in them. They could not shut their eyes to the existence of houses in Ireland rated as low as 10*s.* and 5*s.* a-year, whilst in England there was nothing of the kind. Neither could they shut their eyes to the fact that in Ireland the application of household suffrage would have a very different effect to what it had in England in 1867; because whilst it added only one-fourth or one-fifth to the number of English voters, in Ireland it would double or treble the entire number of each constituency. Therefore, with every desire to assimilate the institutions of Ireland and England where they were likely to work well, they could not suppose that a question of this kind was to be settled by simply propsoing to reduce household suffrage in Irish boroughs because they had already reduced it in English boroughs. If anything was clear from the debate of that evening, it was that no Member had successfully endeavoured to separate the question of the reduction of the franchise in boroughs from the question of the re-distribution of seats. Hon. Members who had spoken showed how varied in their view was the proper mode in which such re-distribution should take place. Great difficulties of opinion prevailed as to the mode of introducing an alteration into the Irish system of representation. He could not deny that a re-distribution of seats in Ireland ought not to be long postponed. That was a far more important question than the alteration of the borough franchise. The two questions were necessarily intertwined, and hon. Members could not ask the House of Commons to lend itself to immediate action with reference to the borough franchise of Ireland and leave out of consideration the question of the re-distribution of seats. In the total absence of Petitions and other indications of public opinion, he could not hide from himself the force of the argument that men must be little interested in such subjects if it could not be denied that there were thousands of persons in Irish boroughs who, if they would take the trouble, might place themselves on the register, and who would not submit to the small amount of exertion necessary to clothe themselves with that franchise the extension of which they had been told so energetically was of immediate and overwhelming importance to the Irish people.

MR. BUTT said, that in the observations which he was about to make, he would confine himself entirely to the Resolution which had been submitted to the House by his hon. and learned Friend. That Resolution declared that household suffrage ought to be established in the boroughs of Ireland as it was in those of England. Without going into all the statistics which had been quoted, he wished to point to a few figures which could not be controverted. It was conceded on all hands that there were only 50,000 persons enjoying the borough franchise in Ireland. He would call that the popular franchise, because from the most ancient times of the Constitution the town franchise had been kept lower than the county. Of the 50,000 persons now enjoying that popular franchise in Ireland, upwards of 27,000 were to be found in the City of Dublin and the town of Belfast, and, adding to them the other towns returning two Members each, they disposed of 36,000 of the total number, leaving only 12,000 in other towns enjoying that popular franchise. It might be said that that was because they had not many large towns in Ireland; but if they took a proportionate amount of population in the English towns they would find that 900,000 inhabitants would yield considerably more than 50,000 voters. That was the chief fact with which they had to deal. Turning for a moment to the history of this question, he was surprised to hear the Solicitor General say it was a new thing to have the same franchise in Ireland and England. Why, on the contrary, it was a new thing to have them different. When King John first admitted those who yielded to his dominion in Ireland to all the benefits of English law, including Magna Charta, the Parliamentary law of Ireland became by that very act the same as it was in England; there were 40*s.* freeholders, freemen, freeholders, usages, charters, and close boroughs. The first departure from the similarity of the laws was in 1829. There was a Reform Bill for England and for Ireland in 1832, and the same franchise was enacted for Ireland that had been enacted for England, except as to the re-establishment of the 40*s.* freeholders; but the £10 rental qualification was adopted for both countries. In 1850 or 1851 an £8 rating was substituted for a £10 rental in Ireland; and, although it was said the intention was to confer a lower franchise in Ireland, the change operated as a restriction and disfranchised large numbers of voters in many towns, because an £8 rating value was higher than a £10 rental, and therefore the franchise was raised instead of being lowered. Then followed the great change of 1867, when the Reform Bill was passed by a Conservative Minister, not having a majority in that House, but striving against an adverse majority. It was said that Lord Carlingford proposed a £7 franchise for English boroughs and a £6 for Irish boroughs, and what resulted was that for the first time a difference was made between the two countries, and, while household suffrage was enacted for England, Ireland was left with a franchise at more than £4 value. The difference between that and £4 was important, because it was more convenient to take £4 than to add 2*s.* 6*d.* or 5*s.*, and the result was the disfranchisement of many occupiers who were rated at £4, when the real value of their houses was higher. This question was not to be decided by a miserable quibble about the value of houses. The question was, what proportion of the people of the city were admitted to enjoy the privilege of sharing in the government of the country? The fact that only 50,000 persons enjoyed the town franchise could not be got rid of. Much of this was due to vexatious interference with the franchise by peculiar rating laws which prevented persons being rated, for unless they held at least as half-yearly tenants their names were not placed on the rate book. A Bill to remove many of these grievances was awaiting discussion, and he could hardly believe that the Government would venture to resist it. By the last Reform Bill they added an immense number of voters to the town constituency in England. Birmingham was increased from 15,490 to 42,041; Bristol from 10,896 to 17,000; Cardiff from 1,809 to 5,000; Exeter from 2,500 to 5,000; and so in many other boroughs. What on earth became of the argument which the opponents of the Resolution had been using all night, that it was proposed to enfranchise in Ireland a new class of voters, and to give them a preponderating influence? Why, in every one of these English towns the number of persons admitted to the franchise was more than double the number that enjoyed it before. If this would be disfranchisement in Ireland, why was it not in England? The same argument would apply to any formerly existing limit, whether of £100, £50, or £10, for a lower class of voters must always be more numerous than an upper class. The real question was how we could secure for Ireland in the town constituencies a fair and just proportion of Parliamentary representation. He protested against the claim of the hon. Member for Downpatrick (Mr. Mulholland) to represent the people of Ulster, who denounced him on the ground that his speeches did not represent their opinions. The constituency of Belfast was no doubt largely, and that of Derry considerably, increased by the last Reform Bill—perhaps, because they were manufacturing towns; but in Cork the increase was only from 2,500 to 3,000; Galway, from 648 to 770; Limerick, from 1,602 to 1,700; whilst in Tralee and Downpatrick the constituency had slightly decreased. They were told that the question was settled in 1868; but if it was intended that the Act should increase the constituency, then clearly the Act had been a failure. He maintained that that which was given to the people of England—namely, household suffrage, should be also given to Ireland, but instead of that Ireland was restricted to her ancient rights. Why not restore to the people of Ireland their ancient rights? He held that by the ancient Constitution, and by its incorporation with the dominion of England, Ireland became entitled to equal rights with the people of England, and that they were entitled to the same privileges as the people enjoyed in England. Whenever any measure was brought forward on behalf of Ireland he always found that the most ardent supporters of its principles were to be found on the opposite benches; but that in their opinion the time had not arrived for carrying them into effect. They were now told that this question of the lowering of the franchise could not be dealt with until Parliament was prepared to deal with the larger question of the re-distribution of seats in Ireland. He saw no necessity whatever for delaying the settlement of this question until that of the re-distribution of seats was dealt with. But Parliament had already shown that, in their opinion, there was no connection between the two questions, because, by the Act of 1867, they had lowered the Irish franchise without re-distributing their seats. He had no objection whatever to the seats in Ireland being re-distributed, although he was by no means in favour of equal electoral districts, and hoped never to sit as Member for the Department of the Lower Shannon. The principle of the Act of 1867 was that no borough of more than 5,000 population should be disfranchised, and he would not shrink from such a principle being applied in Ireland, though first they should do what they could by a rectification of boundaries. In truth, the disfranchisement idea was only put forward as an excuse for not giving them equal justice, and he contended that there was no good reason why there should not be household suffrage in Ireland as well as in England. Why should an enlarged suffrage be given liberally to England, and grudgingly, and with a £4 limit, to Ireland? The Prime Minister had said that there was no reason why there should not be Conservative working men in England; and, for his part, he saw no reason why there should not be Conservative working men in Ireland if they had equal electoral rights with their English brethren. The test of figures which the hon. Member opposite had applied to this question was not a sound one, because a house that would not be valued at more than £6 in Carlow would realize £20 a-year in Liverpool or London. But a few years ago the state of Ireland was very different from the present. Men had turned from that House either to rest in sullen indifference or to resort to the desperate remedy of seeking redress by armed insurrection and secret societies. He admitted that the first thing that turned them again to Parliament was the two measures introduced by the right hon. Gentleman the Member for Greenwich (Mr. Gladstone)—one establishing religious equality and the other granting a scant measure of justice to the tenant. He (Mr. Butt) and his Friends were teaching the people to look once more to Parliament, and he implored the House not to drive them back from their rising confidence into those secret and dangerous courses which were injurious to Ireland, but were more than an annoyance—which were a danger—to England. If they rejected this Motion they would give power to every man who would go through Ireland and say that appeals to the House were useless. Pass it, and they would do more to conciliate the Irish people and establish peace in that country than by all the Coercion Acts that it was in their power to devise.

Sir MICHAEL HICKS-BEACH observed, that the peroration of the hon. and learned Member who had just spoken might almost be stereotyped, for there had not been a measure proposed by the hon. and learned Member, or by any of his party, during this Session which had not been accompanied with similar words of menace to those who ventured to differ from him in opinion. He (Sir Michael Hicks-Beach) would claim for himself, for the Government, and for all sitting on that side of the House the right to approach Irish questions with the same careful deliberation and judgment with which they hoped to approach measures for England or for Scotland. And when the hon. and learned Member and those who sat around him said that the Government had not been able to support any of the measures which they had proposed during the present Session, he would remind the hon. and learned Member and his supporters that they were, after all, Members of the Opposition; and that the Government having a right to their own opinions, could hardly be blamed for differing from those who were returned to that House as their opponents. The hon. and learned Member for Kildare (Mr. Meldon), who introduced the Motion, had charged the present law in Ireland with depriving of the franchise those who, being rated above £4, might be considered properly entitled to have it. This was a matter of registration, rating, and various other technical points in the law which it would hardly be useful for the House to consider on the present occasion. When it was stated that the number of inhabited houses in Dublin and other towns above £4 rental was considerably in excess of the number of occupiers appearing on the register, it ought to be borne in mind that many persons were not a little indifferent about possessing the franchise. Even if they were objected to, they did not seem to care to attend the Revision Courts to establish their claims. There were many circumstances which might cause a material difference between the number of householders, and the actual number appearing on the register as entitled to exercise the franchise. Referring to a Return as to English boroughs presented to the House that day, he found that in the borough of Salford, where Party politics ran pretty high, there were 27,900 householders entitled to be put on the register, but that only 19,172 actually appeared there. The same causes which led to disfranchisement in Ireland occasioned it in England and Scotland. But the question really before the House was whether household franchise, now the law in English boroughs, should, or should not, be extended to Ireland. The Irish Reform Act of 1868 was no very large measure. In some boroughs, notably in Belfast, it gave considerable extension of the franchise; but it was not proposed by the Government of the day as a Bill giving anything like the same measure of enfranchisement to Irish occupiers, as had been granted to England in the previous Session. When Lord Mayo introduced that measure he proposed that the Irish borough franchise should be fixed above £4 valuation. While Lord Mayo's Bill was passing through the House of Commons, although exceptions were taken to it by some Irish Members as not containing a provision for voting by ballot, the only objection to the franchise it proposed was made by the present Mr. Justice Lawson. What he suggested was, that the franchise should be fixed at £4 instead of above £4. But no hon. Member, whatever his political opinion might be, desired at that time that household suffrage should be established in Ireland; and though the hon. and learned Member for Kildare said that the reason for that was that the Bill was considered at the end of the Session, and that other clauses stood in the way, the real reason was that nobody wanted such a franchise. Why was that? No doubt some weight should be given to the condition of Ireland at that time. Unquestionably, that condition had now happily changed. We had arrived at a time when Ireland was peaceable; and although he was far from saying that no disaffection existed, it did not, at any rate, show itself in that dangerous way in which in 1866 and 1867 it was manifested in the Fenian organization. But in 1868 there was also present to the minds of those who had to deal with this important question something of that which had been put with such effect by his hon. Friend the Member for Downpatrick (Mr. Mulholland) and by his hon. and learned Friend the Member for the University of Dublin (Mr. Gibson). He would not trouble the House with statistics; but he ventured to say that if any hon. Member cared to study the statistics on the question that had been laid before Parliament, he would find the figures relied on by the hon. and learned Member for the University of Dublin amply justified, and that if household suffrage had been adopted for Ireland in 1868, or if it were adopted now, it would unquestionably admit to the franchise a greater preponderance of the poorer and more ignorant classes of the community than household suffrage had admitted in England. When the hon. and learned Member for Limerick told the House that he did not want any more miserable quibbling about the value of houses, it was, he thought, only reasonable in considering the question of what franchise should be adopted for any particular part of the United Kingdom to give a little attention to the circumstances of the population in that part of the United Kingdom. If they did so in the present case, they would see that no fanciful uniformity of franchise, such as might be adopted by similarity of language in two Acts of Parliament, could deal equally with entirely different circumstances. The hon. and learned Gentleman the Member for Limerick told the House that in former times the Parliamentary franchise for England and Ireland proceeded on a similar footing, and he referred the House back to the times of King John and the Parliaments of the Pale. He did not think the hon. and learned Gentleman would have referred the Constitutional question of the franchise to those times; but the hon. and learned Gentleman had himself gone on to prove that his own assumption was completely wrong, and that in the earlier part of this century and subsequently when Parliament undertook to deal with the various franchises of England and Ireland, they were dealt with in entirely different ways. In point of fact, different franchises had been the rule for England and for Ireland, and when the hon. and learned Member for Kildare asked the House to assent to the principle of similarity—nominal, but not real—of franchises as regarded English and Irish boroughs, he asked them to legislate on a principle upon which Parliament had never yet acted. And why had it not? For this reason, that it was unquestionably the fact—one admitted by all who had spoken during the debate — that while in Ireland, unfortunately, the higher classes could not exercise the same friendly influence over the lower classes as could be done in England; while in Ireland there was practically no lower middle class of artizans between the upper middle class and the more ignorant portions of the lower class, the circumstances of the two countries were, and must be, essentially different. What argument did he draw from that fact? He did not say that on that account they were never to extend the franchise to the masses of the people of Ireland as they had done to those of England and Scotland; but he did say that when a proposal like the present was made a great and important change was advocated—a change far in excess of anything done for Ireland by the Act of 1868, or for England by the Act of 1867. Then he would ask was such an important change to be made in the franchise without dealing with the whole question of Parliamentary reform? What was the practice on this subject? What was the decision at which the House arrived in 1866? Was it not this—that in conceding a large extension of political power to classes not hitherto possessing it you should accompany that extension with a re-distribution of seats? The House then practically declined to consider the two questions separately. And when, in 1867, the Government of that day brought in an English Reform Bill, which, as compared with the Irish Reform Bill of the following year, was a very large and important measure, they accompanied that measure with an extensive re-distribution of seats; for he believed that the number of seats dealt with was not less than 45, whilst several constituencies were disfranchised. If it was admitted that the proposition before the House was an important change, and if it was admitted—and that, he thought, could hardly be denied—that such a change should be accompanied with a re-distribution of seats, and would entail the whole circumstances of a regular Reform Bill, the House ought to consider, in the first place, how far it was wise for them, by adopting the Motion of the hon. and learned Member, to commit themselves to an opinion on the necessity of such a policy at the present moment. Some allusion had been made in the course of the debate, and notably by the hon. Member for the county of Kerry (Mr. Blennerhassett), to a possible re-distribution of seats. He could not conceive a more difficult problem than re-distribution in Ireland. They had a number of boroughs in Ireland, a few of which were thriving; but the great majority were diminishing in population and wealth. There were very few unrepresented towns which could be substituted for the existing borough constituencies; but they might disfranchise some of the boroughs and add to the representation of the counties. If they did that, it was inevitable they must regard the daily growing claims of Ulster, both in population and wealth, as compared with the rest of Ireland—[Hear, hear!]—and he hoped that hon. Members opposite who cheered that would be ready to deprive some of the constituencies in the South and West of Ireland of their representatives for the advantage of Ulster. If they did not deprive boroughs of their Representatives for the advantage of counties; if they endeavoured to adopt the Scotch practice of grouping them, he was afraid, looking at the great difference in their political and religious sympathies, and at their present condition, that, as the present Chief Justice of Ireland once said in that House, the union of two melancholy little towns would only result in a more melancholy state of things than if they had their separate existence. It was clear that a re-distribution of seats in Ireland was a question of no slight difficulty—and yet, from one point of view, it was one of a more pressing nature if they were to deal with a Reform Bill than any alteration of the franchise. Ireland had had Reform Bills over and over again; and, as far as the franchise was concerned, perhaps it would have been better for her if she had not had quite so many of them. But the question of a re-distribution of seats had come down practically from the time of the Union; and, considering all that had happened in Ireland since the Union, considering the improvement which had taken place in some portions of that country and the decay in others, the re-distribution of seats might be more urgently demanded in Ireland than it was in England in 1867. Then, as he had said, if they were to entertain this question, it could only be on the basis of a regular Reform Bill. He thought no Government would be justified in asking Parliament to deal with a measure making important changes in the representation of the people unless they were satisfied that the people desired such a measure. Some hon. Members said that it was not desirable to wait for any manifestation of that kind—that meetings and Petitions must not be expected, because the people did not care to send up Petitions to the Imperial Parliament. Now, he did not find that in other matters that had been brought before the House Irishmen had shown any such indifference. Meetings had been held, and Petitions presented on the subject of the Land Tenure Bill, and many opinions had been expressed respecting the question of education. But on the more important subject now before the House he did not believe that a single Petition had been presented; more than that, he doubted whether any one but the hon. and learned Member for Limerick had mentioned the subject in his address to his constituents. If this question of Parliamentary Reform was so urgent as the speeches of hon. Gentlemen opposite that evening would lead the House to believe, was it not surprising that they had not postponed to it all those minor matters which they had so persistently advocated, and endeavoured to obtain a real representation of the Irish people before they pressed upon the House any other grievances. But what was the fact? For the last three years a Bill to extend the borough franchise had been annually brought in; but among all the Irish Bills which had been brought in that was the only one, he thought, to which practically no attempt had ever been made to give a second reading. That, he thought, showed that until that evening, at any rate, hon. Members opposite had treated this question with something very like indifference. The late Government were in office for five years; but had they ever thought it necessary to deal with this question? In a speech which had often been referred to, the right hon. Gentleman (Mr. Gladstone) expressed his intention to redress certain Irish grievances, which he (Sir Michael Hicks-Beach) need not enumerate, but he never specified among those grievances the state of the Parliamentary representation of Ireland. The Government of that day no doubt felt, as Her Majesty's Government now felt, that this was not a subject which really stood foremost in the minds of the Irish people. The Government had this Session proposed legislation on several other matters which he believed were more necessary to be immediately dealt with. The measures for legal reform in Ireland brought into this House and into "another place" were not either in their scope or design matters of small importance. [Mr. Butt: Hear, hear!] And he hoped to be able to deal with other matters, which had been more than once pressed upon the Government—such, for instance, as the Jury Law, and the cost and management of Irish Prisons. [*Laughter.*] Hon. Gentlemen who laughed had, he should say, no practical acquaintance with the subject of prisons. The Government had before them a wide and varied programme of important Irish business. They fully admitted that it would be necessary some day to give to the people of Ireland a wider extension of the franchise than that which they at present enjoyed; but they felt that such a reform should only be adopted after grave deliberation, and should be coupled with a scheme for the re-distribution of seats; and they asked the House of Commons not, by assenting to a fragmentary and illogical proposal, to fetter themselves and the Government in the more thorough and complete consideration which the question must, at no distant period, receive.

Mr. JOHN BRIGHT: Perhaps, Sir, though the hour is late, I may be allowed to offer a few observations upon this question, the more so because I think in the debate that has taken place no English voice has been raised either on the one side or the other in connection with the question before the House. I have listened to almost everything that has been said since the debate began, and the conclusion to which I come, and to which, I think, every Gentleman even on the other side of the House must come, is that the restriction upon the franchise in Ireland—I confine myself now to the borough franchise—is so great that no sound argument can be offered in favour of maintaining that restriction as it now exists. No argument that can be urged of the slightest consideration can be offered against an extension of the borough franchise. If any change, then, is to be made, what change? At present the borough elector must be rated on an assessment of about £4. That will be probably £4 10*s.* or £5, and therefore he must be rated at more than £4. The rental, I presume, would probably be very near £6. Now a £6 rental—[An hon. Member: £7]—I am assuming £6, because I think that is much nearer, and I do not want to overstate the case. The rental now would be £6 to give a vote in any borough in Ireland. Consider what £6 means in Ireland. We know quite well that in that country, not among the working classes only, but among the middle and the richer classes, the rental of houses is very much lower than it is in this country. The person who lives in a house of £6 in Ireland is equal to a person who lives in a house of £10, or even £12, in this country. An hon. Gentleman on this side of the House (Mr. Callan) referred to some company employing, I think, more than 50 engineers, the whole of them receiving an average income of at least £100, and yet only some half dozen of those persons lived in houses above the valuation of £4. This fact shows that the existing borough franchise in Ireland is one of the most restrictive character — one which the House of Commons ought really to be ashamed of maintaining. I presume we must all agree to this. The hon. Member for Downpatrick (Mr. Mulholland) stated that he should be glad to see the restriction withdrawn to some extent, and he said that, under a certain reduction of the franchise, some 10,000, 12,000, or 15,000 new voters would be brought in. He said—and of course he would not say so without some authority—that he believed every Member on his own side of the House would agree with such a change. Then it would be a question whether you should come down to £4, £3, £2, or £1—for there are a few persons rated even at this low sum—or whether you should not come to household suffrage. What are the fears of hon. Gentlemen opposite? Men are afraid of a first experiment. There is at first sight something dangerous in the appearance of the experiment; but if they find that their fears are altogether imaginary they come to a second attempt, and make the experiment without fears. Now, I have heard all those arguments before. There has not been a single argument I have not heard before offered on that side of the House. We have had two long speeches from the Treasury Bench, and some others from the back benches opposite, and there is not a single argument in opposition to the Resolution of my hon. and learned Friend the Member for Kildare (Mr. Meldon) which I have not heard 20 times over in this House directed against proposals for the reduction of the franchise in England. We have heard a good deal to-night about re-distribution. That was a great hobgoblin argument in England. Now, there is nothing whatever in the argument of re-distribution. Re-distribution is required in Ireland whether the franchise remains as it is, or whether it is extended to household suffrage. Does any one suppose that the re-distribution which was effected in England in 1867 was sufficient? It is wanted now just as much, or thereabout, as in Ireland; and public opinion will no doubt take up the question in England and force it upon the attention of Government, whether it be a Government composed of Gentlemen opposite or a Government which will succeed them, composed of Gentlemen who now sit on this side. Therefore the question of re-distribution has nothing to do with the question we are now discussing; and the hon. and learned Gentleman (Mr. Butt) was perfectly right when he said that it was always brought in to obstruct the extension of the franchise. Of course, we know the effect it might have on some Gentlemen who represent small constituencies. But it is much better to discuss the question of the franchise absolutely separate from the question of re-distribution, and by that means come to a more solid and rational view of it, undisturbed by the fear of some Members that their constituencies might be merged into the counties by the disfranchisement of their small boroughs. A good many of us heard the speech of the hon. and learned Member for the University of Dublin (Mr. Gibson). The same arguments were repeated by the Solicitor General for Ireland. It was said they would admit so many new people on the voters' list that they would positively displace all who were now on it. I think the right hon. Gentleman at the head of the Government when the Franchise Bill was before the House in 1866 used the same argument. He said—"You would degrade the franchise"—that was the term—I am not sure whether he originated it — but it was the term used by many of his supporters. They were not alarmed at the extension of the franchise — that would make no difference to anybody — but they insisted that if they reduced the franchise to the £7 proposed when Lord Russell was Prime Minister in 1866, you would introduce so large a number of the working class that the middle class would almost be got rid of as regards political power in the elections of the country. So they say now in regard to Ireland. But I do not mean to argue that these arguments were fallacious. They found that there was no danger in the £7 franchise, none in the £6, none in the

£5, none in the £4, none in the £3, none in the £2, none in the £1—if there was any so low in England—and they swept the whole thing away absolutely, and admitted every householder to a vote. Their Bill did not at once admit every householder; but it laid the foundation for that admission, and it rested with the succeeding Government in the year afterwards to remove the obstructions which they had left in the way; but household suffrage, pure and simple, was the outcome of their legislation. Therefore, I may fairly adopt the opinion that they will come in a short time to the same view on this question as on the other. In fact, it only took them the short time to allow them to walk from this bench to that. I have come to the conclusion that the arguments used on that side ever since they came into political existence were not worth a single farthing and ought to be abandoned. Well, but if all those arguments they used with regard to England were bad, and if they themselves have thrown them overboard, who shall say that they are good as regards Ireland, and that if we show them that it is necessary they will not abandon them with equal facility? I recollect a speech made not long ago by an eminent Member, the Foreign Secretary of the present Government, to a large meeting in Edinburgh. He asked who would have thought a few years ago that with household suffrage in the boroughs the constituencies would have returned a Conservative majority, and that a Conservative Administration would be in power. Lord Derby, therefore, thought that this household suffrage was not so bad a thing as he had esteemed it before. He found its results were good—that the working men of England were exactly as we had always said—divided in their political opinions just as other classes were divided—which was a statement of ours absolutely and constantly contradicted by hon. Gentlemen opposite; but it only shows they knew nothing at all about the question at that time. I suppose, even now, with all their experience, they do not know enough about it to enable them to take the step which the hon. and learned Member for Kildare (Mr. Meldon) recommends to them. Now, I will ask the House whether they do not think that the results of household suffrage in England have not, on the whole, been good. I am not alluding to the fact that Gentlemen opposite have changed sides in this House. That was a mere effect of the passing hour. Even as regards that particular fact, hon. Gentlemen opposite are better Members of Parliament than they were before household suffrage was placed on the Statute Book. I am of opinion that, although in establishing household suffrage in England we have admitted not a very small number of persons who have no great faculty for political life—who are, many of them, very ignorant and very abject, some of them not being sober or industrious, and in a very small degree worthy citizens—yet it was impossible to pick them out from the mass and exclude them; and it was far better to admit them than to place restriction on the franchise which had previously existed. In Ireland, of course, if you adopt household suffrage, you will no less admit many who will be no valuable addition to your constituencies; for there are in the Irish constituencies now, as there were 10 years ago in the English constituencies under the £10 franchise, many persons who are no use to the constituencies and a great trouble to the candidates and their friends. It will, of course, be so in Ireland; but that is only a small evil, which must always arise in a matter of this kind, and is not to be put against a very great good. Therefore, I hope we shall not, after the experience we have had of an extended household suffrage in England, think it is a dangerous thing for Ireland. The value of the house is not of so much importance as you fancy. Every man in Ireland that you will admit under this household franchise is the head of a family; he has his wife and his children with all those calls to industry and fair conduct in life which those have who live in better houses, and you may, therefore, throw out of view the bricks and roof by which he and his family are sheltered. I believe, notwithstanding what the right hon. Gentleman the Chief Secretary for Ireland has said, that if a measure of this kind were passed it would have the effect in Ireland—it must inevitably have the effect in Ireland of teaching the Irish people the Imperial Parliament is not only not afraid of them, but actually invites their co-operation. It invites every man of them, every householder in boroughs, to take an interest in the political questions which are constantly debated in this House; and I am satisfied, that if you ask them to come and become partners in the discussions and deliberations of this Assembly, it would make them think that it will not be necessary for them to have a small Parliament of their own in Ireland if they find that this greater Parliament is willing to do them speedy and substantial justice. The right hon. Gentleman, when he rose from his seat in a manner which, I think, was hardly courteous, after the peroration with which my hon. and learned Friend the Member for Limerick concluded his speech, said that that was a sort of conclusion to a speech which he had heard before. It remains to be true—though all the officials in the world think it worth while to call it in question—it remains to be true that justice done by the Government and Parliament to any portion of the population, be it the most remote, be it the most abject, still that measure of justice is never lost. It is compensated to the power that grants it, be it Monarch or be it Parliament, by greater affection, by greater and firmer allegiance to the law, and by the growth of all those qualities and virtues by which a great and durable nation is distinguished.

Question put.

The House *divided*:—Ayes 166; Noes 179: Majority 13.

AYES.

Adam, rt. hon. W. P.
Anderson, G.
Ashley, hon. E. M.
Barclay, A. C.
Barclay, J. W.
Bass, A.
Baxter, rt. hon. W. E.
Beaumont, Major F.
Beaumont, W. B.
Bell, I. L.
Biggar, J. G.
Blake, T.
Blennerhassett, R. P.
Bowyer, Sir G.
Brady, J.
Bright, J.
Bright, rt. hon. J.
Brooks, M.
Brown, J. C.
Browne, G. E.
Burt, T.
Butt, I.
Callan, P.
Cameron, C.
Campbell, Sir G.
Carington. hn. Col. W.
Cavendish, Lord F. C.
Chadwick, D.
Christie, W. L.
Clarke, J. C.
Cogan, rt. hn. W. H. F.
Collins, E.
Corbett, J.
Cotes, C. C.
Cowen, J.
Crawford, J. S.
Cross, J. K.
Crossley, J.
Davies, D.
Davies, R.
Dease, E.
Dickson, T. A.
Digby, K. T.
Dilke, Sir C. W.
Dillwyn, L. L.
Dodds, J.
Downing, M'C.
Dunbar, J.
Dundas, J.C.
Edwards, H.
Ennis, N.
Errington, G.
Fawcett, H.
Fay, C. J.
Ferguson, R.
Fletcher, I.
Forster, rt. hon. W. E.
French, hon. C.
Gladstone, rt. hn. W. E.
Gladstone, W. H.
Goldsmid, J.
Gourley, E. T.
Grieve, J. J.
Hamond, C. F.
Harcourt, Sir W. V.
Harrison, C.
Harrison, J. F.
Havelock, Sir H.
Hayter, A. D.
Henry, M.
Herbert, H. A.
Hodgson, K. D.
Holland, S.
Holms, J.
Holms, W.
James, W. H.
Jenkins, D. J.
Johnstone, Sir H.
Kenealy, Dr.
Kensington, Lord
Kinnaird, hon. A. F.
Kirk, G. H.
Laverton, A.
Law, rt. hon. H.
Lawson, Sir W.
Leatham, E. A.
Leeman, G.
Lefevre, G. J. S.
Leith, J. F.
Lewis, O.
Locke, J.
MacCarthy, J. G.
Macdonald, A.
Macduff, Viscount
Mackintosh, C. F.
M'Arthur, A.
M'Arthur, W.
M'Kenna, Sir J. N.
M'Lagan, P.
Maitland, J.
Maitland, W. F.
Martin, P.
Mellor, T. W.
Middleton, Sir A. E.
Milbank, F. A.
Monk, C. J.
Montagu, rt. hn. Lord R.
Moore, A.
Morgan, G. O.
Muntz, P. H.
Noel, E.
Nolan, Captain
O'Brien, Sir P.
O'Byrne, W. R.
O'Callaghan, hon. W.
O'Clery, K.
O'Conor, D. M.
O'Conor Don, The
O'Donoghue, The
O'Gorman, P.
O'Loghlen, rt. hon. Sir C. M.
O'Reilly, M. W.
O'Shaughnessy, R.
O'Sullivan, W. H.
Palmer, C. M.
Parnell, C. S.
Pease, J. W.
Pender, J.
Pennington, F.
Perkins, Sir F.
Philips, R. N.
Power, J. O'C.
Ralli, P.
Ramsay, J.
Rashleigh, Sir C.
Redmond, W. A.
Rothschild, Sir N. M. de
Rylands, P.
Samuda, J. D'A.
Seely, C.
Shaw, W.
Sheil, E.
Sherlock, Mr. Serjeant
Sherriff, A. C.
Simon, Mr. Serjeant
Smith, E.
Smyth, R.
Stacpoole, W.
Stanton, A. J.
Stuart, Colonel
Sullivan, A. M.
Swanston, A.
Tavistock, Marquess of
Taylor, P. A.
Torrens, W. T. M'C.
Tracy, hon. C. R. D. Hanbury-
Vivian, A. P.
Vivian, H. H.
Ward, M. F.
Watkin, Sir E. W.
Whitworth, B.
Williams, W.
Wilmot, Sir J. E.
Wilson, C.
Yeaman, J.
Young, A. W.

TELLERS.

Conyngham, Lord F.
Meldon, C. H.

NOES.

Adderley, rt. hn. Sir C.
Alexander, Colonel
Allsopp, C.
Arkwright, A. P.
Ashbury, J. L.
Astley, Sir J. D.
Bagge, Sir W.
Barne, F. St. J. N.
Barrington, Viscount
Bates, E.
Bateson, Sir T.
Bathurst, A. A.
Beach, rt. hn. Sir M. H.
Beach, W. W. B.

Bentinck, rt. hn. G. C.
Beresford, G. de la Poer
Beresford, Colonel M.
Birley, H.
Blackburne, Col. J. I.
Bourke, hon. R.
Bousfield, Major
Bright, R.
Bruce, hon. T.
Bruen, H.
Buxton, Sir R. J.
Cameron, D.
Cawley, C. E.
Cecil, Lord E. H. B. G.
Chaplin, Colonel E.
Clifton, T. H.
Clive, hon. Col. G. W.
Close, M. C.
Clowes, S. W.
Cobbold, T. C.
Cole, Col. hon. H. A.
Coope, O. E.
Cordes, T.
Corry, J. P.
Crichton, Viscount
Cross, rt. hon. R. A.
Cuninghame, Sir W.
Dalkeith, Earl of
Davenport, W. B.
Deakin, J. H.
Denison, W. E.
Dick, F.
Dickson, Major A. G.
Digby, hon. Capt. E.
Disraeli, rt. hon. B.
Douglas, Sir G.
Edmonstone, Admiral Sir W.
Egerton, hon. A. F.
Elliot, Sir G.
Elliot, G. W.
Elphinstone, Sir J. D. H.
Emlyn, Viscount
Eslington, Lord
Fellowes, E.
Forester, C. T. W.
Forsyth, W.
Fraser, Sir W. A.
Freshfield, C. K.
Gallwey, Sir W. P.
Galway, Viscount
Gardner, J. T. Agg-
Gardner, R. Richardson-
Garnier, J. C.
Gibson, E.
Gordon, Sir A. H.
Gordon, rt. hon. E. S.
Gordon, W.
Gore, W. R. O.
Gorst, J. E.
Grantham, W.
Greenall, Sir G.
Greene, E.
Gregory, G. B.
Guinness, Sir A.
Hall, A. W.
Halsey, T. F.
Hamilton, Lord C. J.
Hamilton, Lord G.
Hamilton, Marquess of
Hamilton, hon. R. B.
Hardcastle, E.

Hardy, rt. hon. G.
Henley, rt. hon. J. W.
Hermon, E.
Hervey, Lord F.
Hildyard, T. B. T.
Hogg, Sir J. M.
Holker, Sir J.
Holland, Sir H. T.
Home, Captain
Hood, hon. Captain A. W. A. N.
Hubbard, E.
Hunt, rt. hon. G. W.
Johnson, J. G.
Johnstone, H.
Jolliffe, hon. S.
Jones, J.
Kennard, Colonel
Knowles, T.
Lacon, Sir E. H. K.
Lawrence, Sir T.
Learmonth, A.
Legard, Sir C.
Legh, W. J.
Leigh, Lt.-Col. E.
Leighton, S.
Lloyd, S.
Lloyd, T. E.
Lopes, Sir M.
Lowther, hon. W.
Lowther, J.
Macartney, J. W. E.
Majendie, L. A.
Manners, rt. hn. Lord J.
March, Earl of
Marten, A. G.
Mills, Sir C. H.
Mulholland, J.
Naghten, Lt.-Col.
Neville-Grenville, R.
Newdegate, C. N.
Newport, Viscount
Northcote, rt. hon. Sir S. H.
Onslow, D.
Paget, R. H.
Parker, Lt.-Col. W.
Pemberton, E. L.
Phipps, P.
Plunket, hon. D. R.
Plunkett, hon. R.
Powell, W.
Praed, H. B.
Price, Captain
Raikes, H. C.
Rendlesham, Lord
Repton, G. W.
Ridley, M. W.
Rodwell, B. B. H.
Russell, Sir C.
Ryder, G. R.
Salt, T.
Sanderson, T. K.
Sandford, G. M. W.
Sandon, Viscount
Sclater-Booth, rt. hn. G.
Scott, M. D.
Selwin-Ibbetson, Sir H. J.
Sidebottom, T. H.
Simonds, W. B.
Smith, A.
Smith, F. C.

Smith, S. G.
Smith, W. H.
Somerset, Lord H. R. C.
Spinks, Mr. Serjeant
Stanhope, W. T. W. S.
Stanley, hon. F.
Starkey, L. R.
Stewart, M. J.
Storer, G.
Sykes, C.
Taylor, rt. hon. Col.
Thornhill, T.
Thynne, Lord H. F.
Tollemache, hon. W. F.

Tremayne, J.
Verner, E. W.
Wait, W. K.
Walker, T. E.
Wallace, Sir R.
Walpole, rt. hon. S.
Wells, E.
Whalley, G. H.
Wolff, Sir H. D.
Yorke, J. R.

TELLERS.
Dyke, Sir W. H.
Winn, R.

IRISH CHURCH TEMPORALITIES.

MOTION FOR RETURNS.

Mr. FAY moved—

> "That there be laid before this House, Returns of the names of the Valuators who have fixed the amount of the purchase money payable to the Irish Church Temporalities Commissioners on sales by them of the fee-simple to the Tenants holding under them, said Return to set forth the qualifications required for the office of such Valuators, and to give their Reports on the several holdings valued by them on behalf of the said Commissioners; and, of the names of all Tenants who have purchased the fee-simple of their holdings from the said Commissioners, specifying the denominations and acreage of such holdings, the amounts paid by each Tenant, and the amount secured to the said Commissioners by mortgage; and also the Ordinance Valuation of each holding so purchased, and the annual rent of same last theretofore paid by each Tenant to the said Commissioners or those under whom they derive."

The hon. Gentleman said, he moved for these Returns because, having personally had a great deal to do with the purchase of those holdings, he had been utterly unable to find out by what principle the valuation had been granted in fixing the amount of purchase-money. In some cases it was placed at 20 years, and in others at 26 years purchase.

Mr. BIGGAR seconded the Motion.

Sir MICHAEL HICKS-BEACH said, he could not give the Reports of the valuators, as they were merely the servants of the Commissioners, upon whom alone the responsibility devolved. He should have no objection, however, to give the names of the valuators. The Returns asked for would include 5,000 names of purchasers throughout Ireland, and if all the details asked for were included, the Return would become a large volume, and could not be prepared without great trouble and expense. If the hon. Member was desirous of obtaining the information for any parish or diocese in which he was interested and would communicate with him, his request should be complied with so far as it could be done without breach of confidence to the valuators.

Motion, by leave, *withdrawn.*

CHURCH BODIES (GIBRALTAR)—THE ORDINANCES.

MOTION FOR AN ADDRESS.

Mr. DILLWYN moved—

> "That an humble Address be presented to Her Majesty, praying Her Majesty to withhold Her assent to the Draft Ordinances for creating Anglican and Roman Catholic Church Bodies at Gibraltar, which have been recently laid upon the Table of the House."

The hon. Member observed, that in the case of the Anglican Body it appeared that a new Established Church was to be created with the aid of an endowment. The Roman Catholic Body was to be under a Vicar Apostolic, who was to have the whole control of the Roman Catholic community, and possession of all the churches, with an income of £500 a-year. This sum he might expend as he liked, being bound to account for it only to the Governor General of Gibraltar. This arrangement had given great dissatisfaction to the Anglican community. We had an Attorney General there; but the ordinance he had prepared did not give satisfaction to the clerical orders of the Roman Catholic Church. The Vicar Apostolic described himself as a missionary sent from Rome *in partibus infidelum.* The Attorney General did not feel satisfied with this, and the Governor General did not seem decided on the matter. The Chief Justice of Gibraltar and 12 other persons holding high office there had joined in a memorial requesting the Government to suspend action in the matter, but they had refused to do so. He (Mr. Dillwyn) thought nothing should be done to sanction a new religious endowment, especially one of the Roman Catholic Communion. Such a course would occasion widespread dissatisfaction. Our recent legislation had been in the direction of disendowment. On no account should we consent to the creation of a new religious establishment in any of our colonies. The House and the country would have been very much startled to find that this Ordinance had been sanctioned by the Queen without Parliament knowing anything of the matter. Such a proceeding would bring the Crown into collision with Parliament and the people. If an endowment was to be created it should be done not on the responsibility of the Queen, but with the knowledge of Parliament; but he considered it was not expedient to proceed further with the matter, and therefore he should move the Resolution of which he had given Notice.

Motion made, and Question proposed,

> "That an humble Address be presented to Her Majesty, praying Her Majesty to withhold Her assent to the Draft Ordinances for creating Anglican and Roman Catholic Church Bodies at Gibraltar, which have been recently laid upon the Table of the House."—(*Mr. Dillwyn.*)

Mr. J. LOWTHER said, that he had nothing to complain of in the manner in which this question had been brought before the House, but the hon. Gentleman had not sufficiently stated the whole facts. The Ordinances were not now for the first time proposed. The fact was that allowances of the description in question had been for many years paid to the clergyman of the Church of England on the one hand, and to the Vicar Apostolic of the Roman Catholic Church on the other, the allowances being to the clergy of the Church of England £600 a-year, and to the Vicar Apostolic on behalf of the Roman Catholic Church £400 a-year. The payments existed without challenge down to 1872, when a change took place for which the present Government was not responsible. In that year the disestablishment of the Church at Gibraltar took place, and representing, as he did, a Conservative Government, the very existence of which was a standing protest against the principle of disestablishment, it was hardly necessary for him to say that he assumed no responsibility for that step; but when the present Government came into office they found that two preceding Secretaries of State—Earl Granville and the Earl of Kimberley—had committed themselves to a scheme which was virtually the same as that now submitted by the Governor of Gibraltar. These endowments were derived from local sources, and Parliament would not contribute to them. Objections to the Ordinances had been received from the Chief Justice, the Attorney General, and some of the leading persons in the colony; and, under all the circumstances, the Secretary of State had felt it his duty to intimate to the Governor of Gibraltar his opinion that those Ordinances should not be persevered in; and he might say that as this scheme had created considerable dissatisfaction in the colony, it would not receive the Royal Assent. He hoped that it would be distinctly understood that the present Government were in no shape or form responsible for the origination of these Ordinances.

Captain NOLAN, having passed a few years in Gibraltar, begged to say a few words on this subject. The population of Gibraltar was, to a great extent, Roman Catholic, and a considerable proportion of the soldiers, and to some extent of the sailors, were also Roman Catholic; and if those Ordinances were to be done away with, he hoped some provision would be made for the celebration of Divine worship for the Roman Catholic soldiers in the garrison. He was sure there would be for the Protestant soldiers and sailors.

Mr. SAMPSON LLOYD wished to know if it was intended to change that which had been an annual Vote into a permanent endowment, over which the House would have no control: He did not in the least complain of paying for religious services for Roman Catholics, provided it was so paid that Parliament could control it.

Mr. MARK STEWART expressed his approval of the intention of the Government to withdraw the Ordinances.

Sir HENRY HAVELOCK hoped the Ordinances had not been dropped temporarily, but permanently.

Mr. NEWDEGATE expressed his approval of the course taken by the Government.

Mr. SHAW LEFEVRE wished to know if the withdrawal of the Ordinance would lead to the withdrawal of the allowances hitherto paid for religious services in Gibraltar?

Mr. SULLIVAN said, he hoped the day would never come when the property of any Church would be taken from it in order to reduce the clergy to the position of State stipendaries.

Mr. DILLWYN said, he was satisfied with the statement of the Under Secretary for the Colonies, and would withdraw his Motion.

Motion, by leave, *withdrawn*.

POOLBEG LIGHTHOUSE BILL.

Ordered, That the Select Committee on the Poolbeg Lighthouse Bill do consist of Five Members, Three to be nominated by the House, and Two to be nominated by the Committee of Selection.

Ordered, That all Petitions presented against the Bill be referred to the Select Committee on the Bill, provided such Petitions are presented two clear days before the meeting of the Committee, and that such of the Petitioners as pray to be heard by themselves, their Counsel, or Agents, be heard upon their Petitions, if they think fit, and Counsel heard in favour of the Bill against the said Petitions:—That the Committee have power to send for persons, papers, and records; Three to be the quorum.—(*Sir Charles Adderley.*)

House adjourned at half
after One o'clock.

HOUSE OF COMMONS,

Wednesday, 29th March, 1876.

MINUTES.] — Select Committee — Railway Passenger Duty, Sir John Kennaway *disch.*, Mr. Macdonald, Viscount Crichton, Mr. Leighton *added.*

Public Bills—*Second Reading*—Land Tenure (Ireland) * [10], *debate adjourned.*

Withdrawn—Monastic and Conventual Institutions * [24]; Sale of Intoxicating Liquors on Sunday (Ireland) * [38].

CONSTABULARY (IRELAND) — NORTH RIDING OF TIPPERARY.—QUESTION.

Mr. O'CALLAGHAN asked the Chief Secretary for Ireland, Whether he has received a Resolution passed by the Grand Jury of the North Riding of the county of Tipperary, at the late Assizes, requesting him to assist in relieving that Riding from a charge for maintaining 50 extra police, which in fact are not in existence; whether he his aware that the number of police in the North Riding does not exceed 326, whereas the ordinary police force provided for by Act of Parliament would amount to the number of 336; and, whether, if the facts above mentioned are correct, he will order measures to be taken to relieve the North

Riding of Tipperary from the burden of this extra charge?

SIR MICHAEL HICKS-BEACH: In reply to the hon. Member I have to state that I have received the Resolution of the Grand Jury, and have made inquiry into the facts of the case. The nominal Parliamentary quota of the North Riding of Tipperary is now fixed at 332, besides which there is a considerable extra force still chargeable to the county, though it has been largely reduced of late years. The proportion which the number of men actually serving in the county, whether as Parliamentary quota or extra force, bears to the nominal strength of the force, must depend on the average number of vacancies in the Constabulary Force in the whole of Ireland. It is clear that no county is fairly entitled to a number of men actually serving within it in excess of the proportion. On inquiry I find that at the time of the passing of the Resolution of the Grand Jury the force actually serving in North Tipperary was 19 men below the number to which that county is entitled, and the Inspector General has in consequence directed 19 more men to be sent to the county. The question whether the time has come when the extra force of North Tipperary can be still further reduced must depend a good deal on the opinion of the magistrates of that county; and the Government will, of course, give careful consideration to any views that may be addressed to them by the magistrates on the subject.

LAND TENURE (IRELAND) BILL.

(*Mr. Butt, Mr. Richard Smyth, Mr. Meldon, Mr. Ennis.*)

[BILL 10.] SECOND READING.

Order for Second Reading read.

MR. BUTT, in rising to move that the Bill be now read the second time, said: The House, I am sure, Sir, will expect that as no statement was made on the occasion of its introduction, I shall now fully state the objects and provisions of the measure. To some Gentlemen present I must appeal for the indulgence which I am sure I will obtain. It has too often been my good or bad fortune to urge views which I consistently believe to be right against the views of the majority of the Members of this House. I perceive on the Notice Paper a Motion to reject the Bill by an hon. Member who is not now in his place; but it is worthy of remark that no Representative of a popular constituency in Ireland has chosen to put himself forward in opposition to this measure. I now wish to say one word with regard to the provisions of the Bill—and it is the only allusion I shall make to anything so insignificant as a personal matter. The provisions of this Bill, as far as I am concerned with them, have not been lightly taken up. As far back as 10 years ago, when I never expected again to have a seat in this House, I turned my attention to the Land question, being led to do so by the same power which caused statesmen to direct their attention to the condition of Ireland. It was my duty to defend the Fenian prisoners, and I so had an opportunity of knowing the depths of Irish disaffection and discovering its source. I made up my mind then, and I satisfied myself, that until the Land question is satisfactorily settled you never can have peace or contentment in Ireland. When I came to study that question I satisfied myself of two things—first, that you never can settle that question until you give the tenant security of tenure; and, secondly, that you never can give the tenant security of tenure as long as you leave to the landlord the arbitrary power of eviction. The attempt made by the Land Bill to give security of tenure without interfering with that power of eviction has failed. I then suggested this measure. I embodied all the principal provisions which I had inserted in the Bill, therefore I am not adopting anything in the present measure lightly, or without having devoted long attention to the subject. No one can understand the Land question in Ireland who does not take into account the past history of Ireland as far as that history affects the question now under consideration. It is an unfortunate circumstance, but it is true, that almost all the land in Ireland is held, with very few exceptions, by the tenure of confiscation. Indeed, Lord Clare declared in the Irish House of Peers that the greater portion of the land of Ireland had been confiscated three times over. No person who is acquainted with past history and the present circumstances of Ireland will deny that the memoirs of that confiscation have descended to the present day, embittering the relations between landlords and the occupiers of the soil. In advocating the Act of Union in the Irish House of Peers, Lord Clare said—

> "It is a subject of curious and important speculation to look back to the forfeitures of Ireland confiscated in the last century. The superficial contents of the island are calculated at 11,042,682 acres. Let us now examine the state of forfeitures confiscated in the reign of James I. The whole of the province of Ulster, 2,836,837 acres; set out by the Court of Claims at the Restoration, 7,800,000 acres; forfeitures of 1678, 1,060,792 acres; total 11,697,629 acres. So that the whole of your island has been confiscated, with the exception of the estates of five or six old families of English blood, some of whom had been attainted in the reign of Henry VIII., but recovered their possessions before Tyrone's rebellion, and had the good fortune to escape the pillage of the English Republic inflicted by Cromwell; and no inconsiderable portion of the island has been confiscated twice or, perhaps thrice, in the course of a century. The situation therefore of the Irish nation at the Revolution stands unparalleled in the history of the inhabited world. If the wars of England carried on here from the reign of Elizabeth had been waged against a foreign enemy, the inhabitants would have retained their possessions under the established law of civilized nations, and their country have been annexed as a province to the British Empire; but the continued and persevering resistance of Ireland to the British Crown during the whole of last century was mere rebellion, and the municipal law of England attached upon the crime. What, then, was the situation of Ireland at the Revolution, and what is it at this day? The whole property and power of the country have been conferred by successive Monarchs of England upon an English colony, comprised of three sets of English adventurers, who poured into this country at the termination of three successive rebellions. Confiscation is their common title, and from the first settlement they have been hemmed in on every side by the old inhabitants of the island, brooding over their discontent in sullen indignation."

That is the description given by Lord Clare in the Irish House of Peers in the year 1800. His Lordship went on to say—

> "Cromwell's first act was to collect all the native Irish who had survived the general desolation and who had remained in the country, and to transplant them into the province of Connaught, which had been completely depopulated and laid waste in the progress of the rebellion. They were ordered to retire thence by a certain day, and forbidden to repass the Shannon under pain of death, and this sentence of deportation was rigidly enforced until the Restoration. Their ancient possessions were seized and given up to the conquerors, as were the possessions of every man who had taken part in the Rebellion, or followed the fortunes of the king after the murder of Charles I. And this whole fund was distributed among the officers and soldier's of Cromwell's army in satisfaction of the arrears of their pay, and adventurers who had advanced money to pay the expenses of the war. And thus a new colony of new settlers, composed of all the various sections which then infested England—Independents, Baptists, Seceders, Brownists, Socinians, Millenarians, and Dissenters of every description, many of them infected with the leaven of Democracy, poured into Ireland and were put into possession of the ancient inheritence of its inhabitants; and I speak with great personal respect of the men when I state that a very considerable portion of the opulence and power of the kingdom of Ireland continues at this day in the descendants of those motley adventurers."

The feeling which Lord Clare described as animating the Irish tenants in his time has not yet passed away. Indeed, it would be idle to deny that its confiscation was intended always to be followed by settlement and by plantation. When King James I. obtained the province of Ulster, he distributed it among persons on condition that they should bring over Scotch and English settlers, though not to the exclusion of the native Irish. The estates were granted in Ulster, on the express condition that the holders were to place tenants on them, many of them in perpetuity, or with the express declaration that they were never to let their lands for uncertain rents, or for a tenure of less than 21 years, or three lives. The men who made these confiscations were far too wise to leave the persons coming in by right of conquest, as they did, totally uncontrolled. It is a matter of undoubted history that the conditions of the settlement obliged them to give secure tenure to their tenants for perpetuity, or else for 21 years. I will not trouble the House with any inquiry into the tenant-right of Ulster —but it should be borne in mind that the settlers in Ulster were of the same religion and race as the persons who got the estates, and had arms in their hands. It is a matter of history that the tenants did not get the tenure that was promised them. Inquiries were held, and the landlords were often questioned by the Crown why they had not given the tenure, and there then sprung up the custom among the landlords of not disturbing the men to whom they were bound to give leases, and thus the Ulster custom of tenant-right grew up, which virtually amounts to perpetuity—that is, there is no right on the part of the landlord to evict capriciously, or to raise the rent capriciously. This custom was not confined to Ulster. James I. settled large estates in Leinster and in Munster under the same conditions, and there were large settlements by Elizabeth in the confiscations which followed the Desmond rebellion, by which Raleigh got 30,000 acres settled in Cork on exactly the same principles. Sir John Davis tells us what James I. did in Munster and Leinster when he came to the throne. Great care was taken that the tenants should be protected in their holdings, and he adds that care was also taken that the occupying tenant should be continued at a certain rent and at a certain tenure. The result was that the land in a few years doubled in value both to the proprietor and to the tenant. I cite this in order to show that the original grants were not made to men for their own purposes. James I. expressedly said that they were not made, but were given to men to enable them to settle in the country for the good of the State. To this hour that trust has never been fulfilled, and now it is in the province of this House to enforce it. If matters had gone in the ordinary way I believe that in Munster, as in Ulster, this trust would have been at all events partially carried out; but then came what is called the Rebellion of 1641, that war which desolated Ireland and led to the Cromwellian confiscations and settlements of land. Though Cromwell made the same conditions, petitions were sent to him over and over again by his soldiers praying to be released from them in consequence of the troubles of the times; this continued down to the time of the Union, and the unsettled relations between the tenants and landlords have been the cause of all the miseries of Ireland. In a very remarkable speech made in this House in the year 1822 by Mr. Grant, afterwards Lord Glenelg, the remarkable fact was pointed out that invariably general disturbances in Ireland were created by local oppression. He was then speaking of one the most horrible disturbances which ever agitated the South of Ireland, and he said it originated in oppression on the part of an agent in charge of an extensive estate in the county of Limerick. He said that if we trace the history of Irish insurrection, we find that when once local disturbances originated, they spread through the country and became general. The reason of this is that unfortunately Irish tenants in every part of the country felt that they were insecure in not being allowed to remain on the soil of their native land; and whenever one landlord chose to exercise his power arbitrarily over his own tenants, distrust spread through the whole district, and distant tenants shared in it. We must bear this in mind, and I ask English gentlemen especially to consider these peculiarities of Irish society. I will now read two testimonies as to this difference between the landlord and the tenant. One is from a very able Report drawn up in 1842 by Mr. Otway, one of the Land Commissioners. He pointed out that the ruin of Irish manufactures had been caused almost entirely by the oppressive laws enacted by England. I do not like to mention those laws, for I know that no House of Commons would now dream of treating Irish manufacturers in such a way. Mr. Otway says—

> "It may be asked why the manufacturers of the North did not share the same fate as those of the South? But the question is easily solved by a glance at the state of the population of the province of Ulster. The settlement in Ulster was more complete and extensive than that in any other part of Ireland. The natives had been either wholly exterminated or driven into mountainous and remote districts. The landlords and tenants in the manufacturing districts of the North belong to one class. They did not regard each other as hereditary enemies. There was no legacy of oppression on one side and revenge on the other. The Ulster tenant felt (and feels) he had a property in his farm, something on earth he could call his own, and the fruits of his industry would be allowed to accumulate into a small capital, and, in point of fact, such accumulation did take place, for the greater part of the capital in the linen manufactures of Ulster was derived from the savings of agricultural industry, and hence arose the numerous class who were each at the same time a farmer, and a weaver, and a linen dealer (jobber)."

Mr. Otway went on to say—

> "The repeal of the Irish Act of Settlement by the Parliament of James II. gave the Protestant proprietors a fright from which they have not perfectly recovered even to this day. Since that time they have been persuaded that every change of policy or isolated disturbance threatens their titles. They seem to think that they only garrison their estates, and therefore they look upon the native occupants—I cannot call them tenants—as persons ready to eject them on a favourable opportunity. Hence the Munster landlord was afraid to give the persons who occupied his ground a permanent holding upon the land, or a beneficial interest in its occupancy,

The old struggle in natural course produced the new interest of tenure, and Captain Rock and Lady Clare were as legitimately descended from the Catholic Lords of the Pale as Jack Straw and Wat Tyler were from the Saxon Thanes who fought at Hastings. There is, and until the relation between landlord and tenant is altered there can be, no accumulation of savings in the South of Ireland from agricultural industry, and hence there was not and can be no spontaneous growth of manufacturers from small capitals."

To these authorities I will add a greater testimony which I have never been able to read without a feeling of sorrow. It is from a Nobleman distinguished not only by his great scientific attainments, but also by everything that could adorn society, I mean the late Earl of Rosse. Writing in 1866, in reply to my own suggestions, his Lordship said—

"Many are dissatisfied that leases are not freely given by Irish landlords. In the absence of a lease the landlord's honour is the tenant's security for fair dealing, and throughout the greater part of the province of Ulster, where the tenants by old customs, dating many generations ago, enjoy certain privileges, that security has been found sufficient. An attempt was made in 1852 upon imperfect information to improve that security, but it was found that the opposite effect would be produced, and it fell to the ground."

Again, the Earl of Rosse observed that there was a strong objection on the part of the landlords to make leases; and he likewise refers to the severance between the landlords and their tenants on the subject of the vote. He says that Members had been returned for boroughs who had expressed strong opinions against the rights of the landowners, and that the landlords were afraid lest some injustice should be inflicted on them. Lord Rosse proceeded to say—

"It cannot, however, be said that such apprehensions are unreasonable, and so long as they exist many will be reluctant to make leases. They think if they have to contend for their rights it will be better to do so with their hands untied. This apprehension with some goes even further, extending not merely to the leasing, but even to the letting of land. Some people ask the question—is it not much safer to farm the land ourselves? and in point of fact a great many small proprietors, just as in England, have long farmed their own estates, and with, I understand, a favourable pecuniary result. It is very desirable that the farmer should calmly consider all this, and ask themselves whether it is just to blame the landed proprietors, who, under these circumstances, hesitate to let on lease, and whether, if they were in their place, they would not, perhaps, do the same."

I have now brought down to 1866 the testimonies as to the state of feeling which exists between the landed proprietors and the occupants of the soil. However much we may regret that feeling, and desire to remove it, the Legislature must deal with circumstances and with feelings as they exist. No such feeling exists in England, and therefore English Gentlemen have difficulty in forming a correct opinion upon it; but I do not hesitate to say that there is a general desire on the part of the landed proprietors in Ireland to keep their tenants in a state of subjection to themselves. Remember that this desire is not confined to those landlords who may be described as being cruel and hard; it is shared in by landlords who would treat their tenants kindly, and even aid them in distress. How was the object of the landlords accomplished? Simply by the power of the notice to quit. I am speaking, of course, before the time the Land Bill became law. In a trial in which I was engaged I examined a gentleman who was believed to have a large number of notices to quit, but he denied it. I then asked him—"Did you not serve some last year?" "Yes," he replied, "but I do that every year; it is part of the management of my estate. I never intend to act upon a notice; but I want to be able to take any field or holding in case I should wish to do so, and, therefore, I give notice to quit each year." Yet this was a landlord of a humane and kindly character, who would not treat a tenant harshly. It is his desire to keep the tenants under his own power that so easily reconciles to his conscience the practice I have just alluded to. The Irish landlords think they can do much better for the tenant than he can for himself. I believe that a country in which you allow the mass of the population to be reduced to a state of serfdom never can be prosperous, never can be contented, and never can be peaceful. Bad landlords will abuse the power which a good landlord will only use for a beneficial purpose. The landlords who could serve notices to quit have two powers in their hands. They have the powers of capricious eviction, and the power of arbitratorily raising the rents. While there are landlords in Ireland who would scorn to do either of these things, there were others who did them with a reckless cruelty which had not a parallel in history. I do not now wish to dwell on the fearful scenes enacted between 1847 and 1852, but in a book of high authority, Mr. Ray's *Social Condition of Europe*, I find it stated that in one year, 1849, no fewer than 500,000 civil bill ejectments were served in Ireland; and I may add that I myself have seen whole districts desolated. Sir Matthew Barrington relates that immediately Parliament passed the Poor Law the landlords of Ireland began to clear their estates by notices to quit, and by tumbling down houses. On many occasions the military were brought in to throw down houses, and hundreds of people were, to use an expressive phrase, thrown on the road, simply because the landlords wished to get rid of the superabundant population. Many measures, passed by statesmen with a most honest intention of doing good to Ireland, have produced results directly the reverse. This was because they were framed by men who had not the knowledge which can only be acquired by residence among the people, and by a long and intimate acquaintance with the circumstances. The case of the Poor Law was an instance of this, for it ought to have been foreseen that the giving of relief to the poor would lead to the very evil which followed. I will give one instance of what occurred. The matter came into a court of justice because the landlord, fortunately for justice, made some slight mistake in his proceedings. It was the case of an estate in the county Meath, and there were on it 27 families. It was admitted that their labour made the property rich and profitable, and that they never had been in arrear one half-year's rent during the 30 years that the landlord been in possession of the estate. The landlord got embarrassed, and he sold the estate to a gentleman who purchased it on condition that all the tenants should be evicted. The landlord concealed this circumstance from the tenants, and when he served them with notice to quit told them he did not intend to act upon it. Well, a jury of landlords gave to one of the evicted tenants the full value of the fee-simple of the land. Such things, it should be remembered, could not be done in England, for Henry VIII. got his Parliament to pass an Act that every landlord who pulled down a house should build it up again in six months, and in the reign of Queen Elizabeth another Act was passed that gave a legal right of relief to everyone who was born on the soil. If there had been a Law of Settlement in Ireland, many of the landlords who were now living on their estate would be in the workhouse to which they consigned their tenants. But there was a still more grievous wrong—namely, the power of the landlord to confiscate the improvements of his tenants in Ireland. All the improvements of the soil—certainly, all the improvements made up to a very recent period—were effected by the tenants. Yet there was nothing to prevent an unscrupulous landlord from confiscating these improvements; and, in point of fact, it was done over and over again. Lord Clarendon, I think it was, spoke of it in the other House as a legalized robbery. It was to that state of things that the Land Act was applied. I believe that any friend of the Irish tenant would act very wrongly indeed if he spoke of the author of that Act in other terms than those of profound respect, knowing, as I do, the difficulties he had to contend with, and the prejudices he had to meet. I give him every credit for that Act. At the same time, I regret to say it has failed, from a reason which I foresaw, as you leave to the landlords the power of eviction. In the circumstances of Ireland, no device that the Legislature can make can prevent them from converting that tremendous power into an instrument to render themselves absolute despots over their tenants. Still, the Act established a principle. It first legalized the Ulster tenant-right. Now, what is the meaning of that? As property which was only protected by custom, and to which the tenant had no legal claim whatever, except in justice and in honour, was converted into a legal property, that is a very great principle as applied to Irish land. Next, the Act gave the tenant a property in his improvements; that property formerly belonged by law to the landlords. Whenever a tenant did not hold under a lease, he was bound to surrender the lands with all the improvements he might make on it; but because justice and equity were required, the Legislature did not hesitate to override this legal power, and to overrule these covenants, and to declare that the tenant should not surrender his land without getting compensation for the improvements he had effected. I do not say it was the right hon. Gentleman the

Member for Greenwich (Mr. Gladstone) who first laid down that general principle, for Mr. Napier, the Attorney General of Lord Derby's Administration, brought in a Bill for Ireland, which would enact more strictly than did the Bill of 1870 that the tenant should be compensated for his improvements. Had that Bill passed into law a multitude of tenants would have been kept in their farms between 1852 and 1870, and many an act of wrong and robbery perpetrated in the name of the law would have been prevented. The Land Act has also established the principle that the landlord has not a right capriciously to evict, and that when he does so evict it imposes a heavy penalty on him. When a landlord evicts a tenant, except for certain causes, the tenant has in every case a right to be compensated. I think I may argue with much force that when the Legislature of a country has established a principle, it may fairly be called upon to carry it into effect. The Land Act has now been in force for five years; at first it did good, no doubt, and is still doing good; but it is also doing harm. I am bound, however, to say that if the landlords of Ireland had been actuated by a desire to carry out the intents of the Legislature the results would have been more satisfactory, and there would probably have been no necessity for me to introduce this Bill. The first thing I have complained of is that under that Act there have still been capricious evictions. I wish to avoid mentioning names, but probably everybody knows the county I mean, when I say that in a county where you are still maintaining the most severe form of unconstitutional law the whole district was excited by notices to quit served on the estate of one gentleman. ["Name!"] I will name the district—it was the county of Meath. Can anybody who knows Ireland deny that the whole county of Meath was agitated by notices to quit served by one man over his estate, in opposition to the strong remonstrances of others of his class, and that evictions followed? Give me the Commission of Inquiry for which I asked you last year and I will prove all my statements on this head. Then, in regard to destroying the tenant's claims for improvements, I must mention names, because unfortunately it has caused great excitement, and the honoured name of the late Duke of Leinster was mixed up with it. I do not believe that the Duke or his successor wished for anything of the kind; but late one night a document was sent round to all his tenants for them to sign, with a message that if they did not sign it they would be served with notices to quit next morning. The document purported to be a lease from year to year, so worded as to be a surrender by each tenant of all claims for improvements. Now, was it the intention of the Land Act that such things should occur? I do not like to say there has been a conspiracy to defeat the intentions of the Land Act, but I do say the generality of the landlords of Ireland have set themselves to defeat the Land Act in reference to the improvements by tenants. In proof of that I have here forms of leases which have been sent to tenants to execute, and it is a bad sign for the country that those documents have been sent to me privately and confidentially, begging me not to give names, lest those who sent them to me should become marked persons by the landlords. These leases are very restrictive. They are leases from year to year, and they contain a covenant at the end that the tenant is not to ask for compensation under any legislation, either of the past or (in some cases) the future. In another case a noble Lord, who I believe would do nothing cruel to his tenants, nevertheless had cruel agents, and they sent notices to every one of the tenants telling them there was to be a new letting and a raising of the rent beyond what many of those tenants could really afford to pay. If the tenants accepted the new letting, as in the end they did after remonstrance, they abandoned all claim for past improvements. Now, if such things were to be done, and they have been done throughout Ireland, every tenant should be apprised of what he was doing. When he signed the agreement he should have been acquainted with the fact that he was surrendering his claim for improvements, whilst giving his landlord an increase of rent. I believe that the good landlords of Ireland are acting unwisely in their own interests in not having a full inquiry into this matter. I consider that it is perfectly legitimate and fair for the landlord to raise his rent in certain cases; but I am certain that in a multitude of instances the increased rent can only be paid by the tenant because of the improvements he has himself made on the farms, and which the Legislature has declared to be his own property. In such cases the raising of the rent amounts simply to confiscation of those improvements. For that view of the matter, I have authority which will be respected by many in this House—a gentleman in the county Limerick, uttering the opinions of his father, the late Mr. Smith O'Brien. I am not a landlord, and therefore, perhaps, not qualified to give an opinion, but as far as I can bear personal testimony, I may say that in all cases of this kind in which I have been consulted, the advice I have invariably given to the tenant has been —"If you can afford to pay this increased rent, do so, rather than run the risk of eviction." I have endeavoured to state the real and true effect of the Land Act. It has been frittered away. It professed to secure the Ulster tenant-right, and it has failed. The whole voice of Ulster has declared it to be a failure. Even the hon. Member for Downpatrick (Mr. Mulholland) has acknowledged its failure. I hope I shall not be considered as saying anything inconsistent with the credit due to the late Government for passing that great Act when I say that the subject was one which required far more delicacy of treatment and more comprehensive care. The Act, however, has undoubtedly failed to a great extent in preventing capricious evictions and securing improvements to the tenants. I therefore now ask the House to join with me in devising some means by which this unfortunate land question can be settled, and settled for ever, so that any man who tries to upset that settlement shall have all the honesty and intelligence of the country against him. I confess that in all these matters we must more or less touch upon the rights of property, or rather upon the principles on which the rights of property rest, and therefore questions are not to be lightly discussed, and I only regret that the Land Act did not succeed in so settling them as to obviate the necessity of any further interference. The House will now bear with me while I explain what I propose to effect by this Bill. I am perfectly satisfied that you never can give a tenant security of tenure, while you leave the landlord the power of arbitrary eviction. I believe, therefore, that I am right in proposing to take away that power from the landlord. I defy any man to tell me how to give security of tenure to the tenant whilst leaving the landlord at pleasure to alter the rent. If you can show me how to do that, I will be delighted to give up my Bill. I feel the responsibility of proposing this measure. I may almost say that I do it with reluctance, but I believe it to be absolutely necessary for the landlords of Ireland as well as for the tenants, for the peace of the country, and for the prosperity of all classes in the United Kingdom. I was going to say that this Bill was a permissive one, but that is not quite a proper word. I leave it to the tenant to claim the protection of this Act whenever he wishes to do so. The landlord, of course, has the power in any time to put an end to the state of things by serving a notice to quit, and therefore virtually neither the landlord nor the tenant need ever resort to this Act, although I leave either of them the option of doing so. I can conceive many cases in which a tenant holding land at a moderate rent, and living under such a landlord as some of those who sit in this House, would never have occasion to desire to resort to this Act. One other portion of this Bill refers to the better protection of the Ulster tenant-right, and another portion deals with some Amendments in the Land Act. These are only minor parts of the Bill, although I believe they are calculated to do much good for Ireland. The case of the tenantry of Ulster is this—In old times their ancestors, who were Scotch or English settlers, entered upon their lands and improved them. Those lands were made the subject of marriage settlements and family provisions, and in ancient times, beyond all question, they were entitled to what anybody would give for the tenant-right. At length the landlords tried to alter the state of things. It began with the Devonshire Commission, issued with the best intentions by Sir Robert Peel in 1845. The Duke of Devonshire said the Ulster tenant-right was giving the tenants a right in the soil, and he advised the landlords gradually to get rid of it. This was the beginning of the encroachments which had been made upon the Ulster tenant-right. The landlords said to their tenants—"We won't allow you to sell your interest in the farm, except at a certain price." And I know that in the North of Ireland the price of the tenant-right is limited to two years' purchase. I say that, upon the principles of the Land Act, that is confiscation of the tenant's property. The Land Act recognized the custom as it had always existed; but how had the Act been interpreted? When the Judges came to interpret it, they said the custom which had been legalized was only the custom which existed at the time the Act was passed—namely, the restricted custom which had grown up since the Devonshire Commission. I have pointed out that the new lettings break the continuity of the title to compensation for improvements, and the result is very great hardship in many cases, because a man who made improvements before the Act passed can make no legal claim for them, although the Act shows that he has morally a right to do so. A landlord asks a man to give up his farm and take a new letting with this effect—that the Courts decide that the new letting breaks the continuity of title. Now, I believe that was not the intention of those who passed the Land Act; and another proposal of my Bill, to which I attach more importance, is that I propose to repeal the most mischievous clause in the Land Act, which provides that if a tenant is rated at over £50 he can contract himself out of the Act. The mischief of that is that it nearly counteracts all the checks put upon capricious evictions, and is a direct premium upon the consolidation of farms. Tenants themselves watch for that. A tenant who has 25 acres goes to his landlord and says—"If you evict another tenant and let me have his land, I can contract myself out of the provisions of the Act, and I will pay you the compensation." That has occurred repeatedly in Ireland. Of course the man gives an exorbitant rent for the land. Do not imagine that the day of exorbitant prices for land in Ireland is gone by. The competition is more and more close, and the competition is increased as men are returning from America, finding the country is not all they expected, and are outbidding others for the land. The result of that is in a great degree to promote the consolidation of farms. I, therefore, propose to repeal that power. I now come to the main provisions of this Bill. I propose that every tenant shall have permission to claim from the Chairman of his county the benefit of his improvements, and if he does that, I propose that a certificate shall be given him, protecting him against eviction by his landlord. That will establish in point of time a perpetuity of tenure. The great difficulty in anything of this kind is to get a tribunal which will fairly value the land. I confess that is a difficulty which I have found it very hard to meet. This idea of a valued rent seems to be getting largely hold of some of the landlords, and I see that some of them suggest the value should be fixed by the Government valuer. There are, I admit, some attractions in that proposal. Another suggestion is that the appointment of arbitrators should be vested in three Privy Councillors, and, some time ago, I proposed that the Judges of Assize should appoint them. It is, however, a most difficult thing in the world to find a tribunal to which you can intrust the task. I, therefore, propose by this Bill that the landlord and tenant should each select one arbitrator, and the two arbitrators thus appointed shall agree on a third. That is the plan proposed by the Bill; but in Committee I shall be perfectly ready to accept any better method that can be suggested for the appointment of arbitrators. In cases where the landlord should not appear, I suggest that the rent shall be assessed by a jury composed of three common and three special jurors. I have inserted provisions for dealing with cases where arbitration absolutely breaks down. Those cases, however, I apprehend, will be of rare occurrence. Generally it will happen that the two arbitrators appointed by the landlord and tenant and a third selected by them will fix the rent. I defy the landlords to prove anything against that, excepting where the tenant wilfully interferes with the proper use of the farm, and then allows the landlord to evict. I propose to take away the landlord's power of arbitrary eviction and of exacting exorbitant rent. Those are really the two great principles of the Bill. It is easy to cavil at details, but those are not matters to be discussed on the second reading. The object of the Bill is to give the tenants perpetuity of tenure and a valued rent, with power to vary the rent after a certain period of time; and that principle has already been acknowledged in legislation. I propose that the tenant should still continue a tenant from year to year, with, however, protection against the arbitrary notice to quit. That will not leave him with more dominion over the land than he has at present. He cannot, for instance, plough up ancient pastures, and he is never to use the land but for the purposes of agricultural or pasture holding. If the land becomes more valuable he cannot let it out without the landlord's licence; but in cases of very large farms I propose to allow the tenant to sublet small quantities as a protest against the system of consolidating. That, however, is not a leading principle of the Bill, and might be amended in Committee. I believe we should extend the Ulster tenant-right in its original form to the rest of Ireland. A witness before the Royal Commission used the strong expression when he said that—"If you attempt to interfere with the Ulster tenant you make a Tipperary of Down." We can try if the Ulster tenant-right will not make a Down of Tipperary. The Ulster tenant-right, before it was legalized, was sustained by the Commissioners on the part of the landlord that any attempt to interfere with it would only lead to violence. We hear every day of the peace and the order of the North of Ireland. We also hear of its prosperity, and I am proud of it. The North of Ireland is my birthplace, and I am proud of its order and of its prosperity; but to what is the prosperity owing? Give to the people of the other parts of Ireland the same rights enjoyed by the Ulster tenant, and the tenant of Tipperary would be as loyal and as attached to his landlord as the tenant of Ulster. The Lord Chief Justice of the Court of Queen's Bench, a gentleman differing from me on every conceivable subject, has resided in Italy, and, in reference to the state of things in Tuscany, where a wonderful effect had been caused by Leopold the Reformer, he said that the attention of the English Legislature should be extended to the means of cultivating the soil in Ireland. I really propose nothing more than to extend the Ulster tenant-right to the rest of Ireland. You cannot do it by direct enactment. It is one thing to say you protect it where it exists, and another thing to say you protect it where it does not exist; but, practically, this Bill if fairly considered does nothing more than extend the Ulster tenant-right, and I believe it would be followed by the same results. I will now detain the House a few minutes by referring to some incidents which, I confess, have had effect on my own mind in reference to the value of giving security to the tenants. One of the incidents is an old one, as old as the days of Arthur Young, who certainly described in a striking way what was the benefit of giving security to tenants. He says that a man with a wife and six children met Sir William Osborne in the county of Tipperary. The man could get no land, and Sir William Osborne gave him 12 acres of heathy land, and £4 to stock it with. Twelve years afterwards, when Young revisited Ireland, he went to see the man, and found him with his 12 acres under full cultivation. Three other persons he found settled in the same way, and he says their industry had no bounds, nor was the day long enough for their energy. He says if you give tenants security, and let them be certain of enjoying the rewards of their labour, and treat them as Sir William Osborne did, there would be no better or more industrious farmers in the world. I have often thought of that, and have said that if there had been men like Sir William Osborne to give employment to those who have been evicted, and who took part in the Irish insurrection, there would not have been a better set of farmers in the Kingdom. Now let me refer to another case. A Roman Catholic prelate, whom I can respect as much as a prelate of my own Church, was examined before a Committee of this House, and illustrated the advantages of giving security to the tenants. He describes how he one day saw a man enter into occupation of some land. There was nothing but a barren heath, and he saw the man carrying on his back manure which he had brought from a road two miles distant. Two years after the Prelate again passed that way, and he found corn growing on what had been the heath, and a house built there. It had all been done by the man himself, and the simple cause, he had a lease, and was thus secure of his tenancy. The Prelate then went to another man who had no lease, and who said—"If I did the same as my neighbour has done my landlord would not only ask for an increase of rent upon my improvements, but also upon what I now hold." That is the sort of discouragement there is to industry all over Ireland, and it proceeds from the desire of the landlord not so much to extract money from the tenants—that is but an incident—but from the desire to keep the tenants in their power. Why, on some estates in Ireland they cannot marry, except with the consent of the landlord's agent, and at the risk of being evicted. ["No, no."] I assure you that those rules still prevail on many estates in Ireland. Another rule which used to exist was that the tenant should not harbour a man at night. There is a story of one poor boy whose mother had been evicted from a farm, and who sought shelter with his uncle; the uncle would have let him in, but his neighbours said he must not, or the agent would evict them all. Therefore, the boy was shut out, and next morning was found lying at the door a lifeless corpse. The men who had refused him admittance were tried for murder and were convicted of manslaughter, their defence being that they did not dare by the rules of their farms to give him shelter. Now, no rights of property can give a man such dominion as that over his tenants, any more than property can give dominion over the thews and sinews of your servants. Now, these evils can only be guarded against by taking away the arbitrary power of eviction, and allowing the tenant to hold his farm at a valued rent. The condition of every Irish estate was originally to give security of tenure. Your landlords have not done it. Your ancestors were placed there not to be lords over the people, but to settle and plant the country, and you are there still among the people whom you have neither conciliated nor subdued. There is not a landlord in Ireland who holds land except on trust for creating upon it a contented tenantry. I go upon the great principles of jurisprudence, which will allow no rights of property to stand in the way of the general good. I go upon the principles established by the Irish Land Act, and I ask you, as you value the peace of Ireland, to carry those principles into full and beneficial effect. I will say nothing more about the peace of Ireland, or I shall be charged with making a stereotyped peroration. I have no official responsibility for the peace of Ireland; but I have the responsibility attaching to every man who takes ever so humble a part in public affairs to promote peace and tranquillity. I have the anxiety which any man must feel who looks back on the ruin, desolation, and misery brought to many parts of Ireland by that civil war—for it was a civil war—which has raged between landlord and tenant since the days of the Cromwellian confiscations, and who regards with trembling the indications of a renewal of the war. I rejoice to say that those indications have at present come only from the landlords. I trust they will cease before they come from the tenants. But it is only by giving protection to these tenants that you can have security against a return to that state of things which every man of right feeling deplored. The hon. and learned Gentleman concluded by moving the second reading of the Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Butt.*)

Mr. G. CLIVE said, that in the absence of the hon. Baronet the Member for West Sussex, he had been called upon to move the rejection of the Bill—in doing so, however, he would not detain the House at any length. The hon. and learned Member for Limerick (Mr. Butt) had remarked that if the Ulster tenant-right were given to Tipperary, Tipperary would become such a county as Down. Now, he had very high authority for stating that there was no county in Ireland more peaceable, as regarded its land tenure, than Tipperary at present. He disputed the facts of the hon. and learned Member for Limerick; and in questioning the hon. and learned Member's estimate of the Irish landlords, he appealed to the authority of the hon. Member for Louth (Mr. Sullivan) on this point, who said last year that Irish landlords were no worse than other landlords. The object of the Bill was three-fold—first, to prevent eviction; secondly, to enable the rent to be fixed by a Chairman of a county or by a jury; and, thirdly, to give the tenant the power of sale. It was only necessary to mention these three points to show that no measure more subversive of the rights of property or more full of fatal precedents for England and Scotland had ever been introduced. He would like to know what Irish landlords, as a body, had done, or what their conduct had been, to justify such a Bill, which would not only virtually deprive them of their property, but would substitute the occupier in every case, where hitherto the landlord had had control over the estate? In fact, the landlord would be deprived of all interest in his estate by the Bill, and if that was done the sooner he got out of the country the better. His position would be reduced to that of merely a rent charger. He hoped both sides of the House would join to reject the measure in such a manner as to leave no doubt as to their opinion of its merits. He had observed that the hon. and learned Member for Limerick did not seem very anxious to refer to the Reports of the Committees of the House of Lords or Commons before the passing of the late Land Act, but went back 200 years and more for arguments to support his case. What had Lord Plunket said about such a mode of reasoning? His words were to this effect, that when abuses of 200 years' ago were alluded to, it was done for the purpose of idle invective and nothing more. The state of things to which the hon. and learned Member had referred had ceased to exist. If in any particulars the Act of 1871 had failed to carry out its object, let there be a Committee of inquiry. The Bill would introduce a gigantic system of copyhold. It would introduce fixity where there should be flexibility; it would reduce the landlord to nothing, and make the tenant virtually the owner; and it would have the effect of introducing a fresh class of proprietors much more selfish and unwelcome to the labouring class than the present proprietors were. There might be a small minority of the Irish landlords who abused their rights, but to pass such a measure as this on account of a small minority would be most destructive. And who would be benefited by the Bill? The existing occupiers only, at the expense of future occupiers. It struck him that the labouring classes in Ireland, once the matter was clearly put before them, would be the last to wish for such a Bill. He begged to move that it be read a second time that day six months.

Mr. HERBERT, in seconding the Amendment said: It would, of course, Sir, have been open to me to choose between the alternative of either walking out of this House without voting or voting for it, well knowing that the second reading of this Bill would not be carried; but I think it is a far more manly course to come forward here and state publicly what my opinions are. I think every one is entitled to his opinion on this subject; and I think it will be understood that in expressing my opinion, should I say anything to offend the prejudices of my Friends behind me, that offence will be unintentionally given. I am very anxious to hear what some of these Gentlemen behind me will be able to say that they have done on their own estates in Ireland what is rigidly required of them in this Bill—whether they will say that they have acted up to their own wishes, and have given to their tenants all those privileges which have been demanded for them by those who have introduced the Bill. Those hon. Gentlemen who do not hold property can perfectly well come to this House, promise anything, and see the landlord despoiled; for it cannot affect them a bit. I think myself that the Land Act is not as perfect as I should like to see it—I will go that length with the hon. Gentlemen behind me; and I would gladly support a measure that would give to the tenants in Ireland that security which the Land Act was supposed to have given them. I say that, because I happen to hold property in Ireland. I do not think I have ever done a harsh act to my tenantry; I have done my best to carry out the trust that has been reposed in me as a landlord, and yet no one has suffered more from misrepresentations in the public Press than I have done—accusations of harsh treatment have been brought forward against me, which, when brought to the test of investigation, have fallen to the ground, and I have received apologies from the reverend gentlemen and the newspapers who had made them. I look upon this Bill in a different light from those hon. Gentlemen who have come to this House to support it. I myself think that instead of its being called a Land Tenure Bill it should be called a Land Transfer Bill, for it virtually hands over the property of the landlord to the tenant. There is in the Preamble of the Bill these words—

> "Which will make the land more productive for the general good, and better secure the rents

payable, and thereby promote the well-being of the community at large."

Now, what class of the community at large does the Bill benefit? It certainly does affect the landlords, because, in my opinion, it robs them. But for whose well-being is the Bill? Not for the labourers, because there is little mention in this Bill of the labourer, and it does nothing for them. Do hon. Gentlemen think that this Bill will settle the question, and that the labourers, whose ancestors might have been on the land before the tenants, and who might think they had a better right to it themselves, would stand quietly by and see the landlord obliged to hand over his rights to perhaps a Scotchman? How is this Bill to act? First of all, it contains tenant-right; second, fixity of tenure; and thirdly, fair rent. How unfair this treatment will be in the case of a landlord who has endeavoured to do his duty by his tenants, and who has spent a lot of money on the estate! I know landlords who have sacrificed a great deal for their tenants. I think I can say that for the landlords. I will put it in this way. Supposing this Bill happens to become law, what would you do in the case of an estate on which there has been no expenditure, and another estate on which there has been a great deal of expenditure? As regards fixity of tenure, I myself am one of those who are familiar with instances in which the fixity of tenure would operate very hardly;—suppose the landlord had the misfortune to have a man who would not do anything in spite of all that you might do for him. Then as to the fair rent—what is a fair rent? There is an endless difference of opinion on the subject. If rents are to be paid on a valuation, and the tenant neglected his farm, the landlord would suffer, while the tenant would be barely able to extract a livelihood. Or you may often see, on the same townland, a man paying a high rent, but he is industrious and prospers, while his neighbour who pays next to nothing is lazy and starves. Who can say what is a fair rent under such contrasting circumstances? Then the Bill enables the tenant to break any contract he may enter into with his landlord. Well, if you legalized the breaking of contracts between landlord and tenant, you would go on and extend the same principle to all agreements whatever. I should like very much to say a few words about the South of Ireland. In Clauses 16 and 17 the Bill deals with middlemen. Perhaps the House does not know what a middleman is? The middleman is a man who begins by getting hold of a large tract of land, and then sublets it to different tenants. I look upon that class as one of the greatest curses of the country; for he it is who rack-rents the land, and brings odium on the real landlord. Did this Bill propose to get rid of middlemen? Not at all. Yet I know one of this class who pays some £20 a-year for a piece of land, and by screwing up the rents gets about £400 a-year from the tenants. I know cases in which the tenants are praying the landlord to step in and put an end to such a state of things. As to the system of allowing the Chairman to settle the rent, I doubt very much whether he will like it. I was told the other day by two gentlemen that in cases of capital crime it was impossible to get a conviction—I think that is a serious state of things—yet how would a jury of tenant farmers, in default of the Chairman, act under this Bill? They are men of the same class, living in the same neighbourhood, who would never incur the odium of putting up the rent. I think the Bill takes the land from the landlord, because he has not the power to get the smallest compensation from anybody. I will take Munster alone. There, I believe, the immediate effect of the Bill would be to put into the hands of the tenant farmers some £18,000,000 or £19,000,000 sterling. Again, I will take my own county of Kerry. Suppose the landlords there were to say—"I will grant the tenants leases in perpetuity for five years premium calculated on their present rental." Now, the valuation of Kerry is about £284,500, and farms in that county are let at about one-third over the valuation. Deducting £31,000 for valuation of towns, there would remain a total tenement valuation of about £350,000. If that were multiplied by five, it would produce £1,700,000; and that would represent the sum which the landlords of Kerry would be able to put into their pockets, provided they agreed to sell their interest to the tenants in perpetuity at the present rent. Yet this Bill would immediately put this sum into the pockets of the tenants, and the landlords would get nothing. As to the shooting provisions, it seems to be a strange thing to take away the amusements of a man. You want landlords to live in Ireland, and yet you intend by this Bill to take away their amusements. With reference to the sub-division clause, I cannot help thinking its effect will simply be to revert to the old pernicious system of middlemen. Every tenant of 400 acres would immediately set to work and divide it into 12 or 14 lots, and the melancholy result would be to have little cottiers all over the country. As to the labourers, the manner in which they are treated by the tenants is shameful—if a landlord used them so he would be held up as a target for every one to shoot at. It is a melancholy state of things to see our countrymen going out of the country; but then you propose to go to the other extreme, which would be just as bad. I know the South of Ireland, and I know the way in which the unfortunate labourer is screwed down by the tenant—it is something shameful. I am speaking of facts, and I will challenge correction. I have heard labourers say—"When anything is done for us in the House of Commons I hope it will be under the head landlord, and not under the farmer." I think the fixing of the rate by the Chairman and jury is most ridiculous; in fact, to speak of tenant farmers fixing a rate is pretty much the same as asking the butcher to fix the price at which the farmer ought to sell his meat. Perhaps the tenant farmer would like it, but I do not think it would be right. In every section there is something to operate against the unfortunate landlord. To show you this you need only take beef, mutton, barley, &c., with butter and pork. The landlord might stand some chance of getting a little more, but they are with the greatest care left out of the Bill. I have already described the Bill as one for the confiscation of the landlord's property—but it does not follow that it will really benefit the tenant farmers. Astonishing as it may seem, this Bill does not content the tenant farmers. Here is a resolution of the Farmers' Club in Cork—

> "That while thanking Mr. Butt for his exertions in the cause of the tenant farmers, we feel this Bill does not come up to our expectations."

I do not expect this Bill to pass; but it is creating, and has created, a vast amount of mischief which cannot be eradicated. It has persuaded people in the South—and, in fact, all over Ireland—that they can acquire the property of the landlord, and by means of this House—it keeps up the continual agitation. I am only anxious to promote the welfare of the Irish farmer, and I will go any length to promote a Land Bill for the purpose of doing that; but I cannot pledge myself to support a Bill which transfers the property of the landlord to the tenant.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months"—(*Mr. Clive.*)

Question proposed, "That the word 'now' stand part of the Question."

Captain NOLAN observed that the hon. Member for Kerry (Mr. Herbert) had taken a number of small objections to the Bill; but he had no doubt his hon. and learned Friend would be quite ready to meet those objections in Committee, and in particular in regard to those articles which the hon. Member had referred to as being left out of the Bill, he gave his vote for inserting them. The hon. Member had also objected to the proposal that the Chairman should settle the rent. As a matter of fact the Chairman did not settle the rent, but that was a point upon which an agreement might be come to in Committee. And so as to the shootings—he had no doubt the tenant would very willingly surrender them. He had himself introduced a Bill on this subject, which he preferred to that of his hon. and learned Friend. With regard to fixity of tenure it ran in parallel lines for nine-tenths of its course with the present measure, but there were other differences between the two Bills. He had every confidence they would carry this measure, or some one very like it, before long. In the division to-day there would no doubt be an English majority against it; but how would the numbers stand with regard to the Irish Members? It was said that the agitation was fictitious—but the other night they did not venture to say that the agitation on the franchise was fictitious—and an agitation would go on until some Government stepped in and settled the question, he anticipated very much on the basis laid down by the hon. and learned Member for Limerick. The hon. Member for Kerry had made a rather clever hit, in attempting to set the labourers against the tenants; but he thought the hon. and learned Member for Limerick would be well contented to leave the passing of the Bill to the labourers. He admitted that the hon. Member had acted a manly part in boldly stating his opinions, not contenting himself with giving a silent vote against the Bill; but he could not approve the suggestion he had made that those who had property in Ireland, but declined to carry out all the provisions of this Bill in the case of their own tenantry, had no business to vote for it. Surely, hon. Members might vote for the second reading of a Bill without being pledged to support all its details.

Mr. JOHN GEORGE MACCARTHY regretted that the hon. Member for Kerry (Mr. Herbert), to whose interesting speech he had listened with great attention, had not imitated the judicial calmness of the hon. and learned Member for Limerick in proposing the Bill. He spoke of the Bill as one of landlord spoliation—of landlord robbery. Surely an hon. Member should not make such statements in the House without being able to prove them. If the Bill became law, it would not take from the landlord one acre—not one rood—it would not take from him one pound of rent, or one legal right he now possessed. Then as to the strange assertion that the Bill would take from the landlord and transfer to the pocket of the tenants of one single county, £18,000,000 or £19,000,000 —the hon. Gentleman entirely misconceived the Bill, for every tenant who applied for security of tenancy must do so subject to having his rent revised. The remarks of the hon. Member for Kerry were entirely founded on misconceptions. It was desirable to disembarrass this discussion as much as possible of all irrelevant and irritating topics. The question was not one between class and class. In that, as in other cases, to do evil that good might come was the policy of inducing disaster through disaster. If they violated one right of the landlord, they would curse the country for generations to come with a sense of insecurity, which, of all things, was prejudicial to the interests of the tenant; and, on the other hand, if they violated one real right of the tenant, they would stop improvement, diminish rent, endanger peace, and deteriorate the value of nearly every acre which the landlord possessed. Those who knew the Irish best knew that they would be the last to disturb social peace — what really brought about the disturbed state of things in Ireland was the perpetration of abuse. The two real issues before them were—Was the existing system of land tenure in Ireland defective, and, if so, was this Bill calculated to remedy its defects? In answer to the first question, he would briefly call attention to the state of Irish land tenure before 1870. According to the Valuation Returns prepared for the Act of 1870, they had above 20,000,000 of acres of valuable land in Ireland. Those 20,000,000 of acres were owned by some 20,000 owners, they were occupied by some 600,000 tenants, and they were maintained by an agricultural population amounting to 4,500,000—being more than four-fifths of the entire population of Ireland. Of the whole number of tenants, about one-third pursued their industry under the tenancy known inaccurately as tenancy at will. To the Ulster tenant-right custom it was objected that it was a custom merely, and that it was not sanctioned by law: to leases it was objected that leases sometimes were so arbitrary that the tenants were better without them; and to tenancy-at-will it was objected, on the ground of its effect upon the chief circumstances of agricultural holding —namely, rent, tenure, and improvement: it dealt with rent by making it completely dependent on the will of the landlord, so that no tenant-at-will could know what terms, or at how large a rent, he would hold his land in the next year. It dealt with tenure by making it completely precarious, so that no tenant-at-will could tell whether he would hold his land the next year or not. It dealt with improvements by throwing the burden of improvements upon the tenant, while virtually enacting that when improvements were made by the tenant they should become the property of the landlord. Such was the character of the Irish land tenure before the Land Act was passed. The Irish Land Act proposed to legalize Ulster tenant-right; but various doubts and difficulties had arisen, and it was the object of the first part of this Bill to cure those doubts and remove those difficulties. Surely this part of the Bill was entitled to cordial support. It did no more than follow out the lines already laid down by Parliament, and only secured to the tenant the benefit which Parliament intended to secure to him. The Act recognized the right of the tenant to his own improvements; but omissions rendered that part of the Act almost nugatory. In particular it permitted a majority of the tenants to contract themselves out of the benefits the Act was intended to secure to them. The Bill proposed to remedy these defects. The Act dealt indirectly with insecurity of tenure, and arbitrary raising of rents, by inflicting penalties on a capricious or unjust landlord; and this part of the Act had proved ineffective, for it allowed the landlord to escape the penalties it was intended to impose; and the main purpose of the third part of this Bill was to remedy these defects and to procure for the Irish tenantry what the Land Act proposed to give them—security of tenure, security against arbitrary eviction, and against arbitrary raising of rent. The first principles of political economy asserted the right of the producer to what he produced, and in agriculture this could not be obtained without continuity of tenure. It might be obtained by custom, or, as in Scotland, by lease, or, as in many parts of the Continent, by the occupier being the proprietor, or, as now proposed, by statute; but obtained in some way it must be, if agriculture was to thrive. The reason was that agriculture, of all arts, most required time, and the best agriculture must require most time, for it needed many years to produce a profitable return to the farmer. He was no true agriculturist who thought only of the next year. The true agriculturist must look for the reward of present investment in future years, and sacrifice the immediate present to a future more or less remote. If we did not secure the farmer continuity of tenure, we must either paralyze his industry or subject it to confiscation, and in either case we should violate some of the first principles of political economy. For these reasons he supported the Bill, and he supposed it would be supported by the majority of Irish Members—he hoped it would not be rejected by a majority of Members from this side the Channel. Many of the sorrows of Ireland were due to mistakes committed in that House, and he prayed hon. Members to guard against committing similar mistakes in the future. Appealing to English Members he said, "We have to plead for you in Ireland." The repeated refusal of that House to pass measures introduced by Irish Members had a tendency to produce disaffection among the Irish people, who said it was useless to expect anything but kind words from the House of Commons.

Lord ELCHO said, he had listened with great pleasure to the speech of the hon. Member for Kerry (Mr. Herbert), and admired the courage with which he pointed out what appeared to him—and, judging from the cheers which he received, what appeared to the majority in that House—to be defects which ought to prevent the Bill being read a second time. The first thing which struck him on looking at the Bill was what struck the hon. Member for Kerry—that there was a printer's error in its title, and that it should have been "Land Transfer Bill," because it was really a Bill to transfer property, or all that made property worth having, from one class to another; but he admitted the accuracy of the title, if the character of tenure in Ireland was to be inferred from the statement of the hon. and learned Gentleman who moved the second reading, that nearly all the land in Ireland was held "by tenure of confiscation;" and this Bill proposed a tenure by confiscation. It was a Bill of confiscation, pains, and penalties, and nothing else. It enacted perpetuity of tenure at a valued rent; it took away the power of eviction, except for non-payment of rent or malicious waste—and the power of fixing rent—and it gave unrestricted right of sale. It thus gave unrestricted right to the soil; and to do these things was practically to dispossess the landlord of all control over the soil. To all intents and purposes this was a transfer of property from A to B. If this was a question of personal property, he should have no difficulty in finding words to describe the Bill in the reports of the Police courts. The hon. Gentleman who brought in this Bill had quoted words of Lord Clarendon which described as "legalized robbery" to appropriate improvements made on an estate without giving compensation for them; and the same term would apply to what it was proposed to effect by this Bill. He did not blame the hon. and learned Gentleman who introduced it. Tenants were numerous and landlords were few, and the votes of tenants were protected by the Ballot. The hon. and learned Member was not only able and learned, but he had studied philosophy, and knew that political economy said that the great aim of statesmanship was the greatest happiness of the greatest number, and therefore this Bill regarded the happiness of the tenants, and paid no regard to the interest of the fewer number, the landlords. The hon. and learned Gentleman had said he had no property in land; to use an expression which he had seen applied to him in an Irish paper, he had not so much as would "sod a lark;" therefore he had not to consider how the Bill would affect himself. The Irish people and their Representatives were not to be blamed, because it was the treatment the Irish nation had received which was at fault. ["Hear, hear!"] He did not mean that in the sense of the noble Lord who cheered him. Hitherto the corner seat of the bench from which he spoke had been occupied by a noble Lord (Lord Robert Montagu), of whom he might be permitted to say, that he and others on the Conservative benches thought that with the views he held as to Home Rule he had much better take his place on the other side of the House. It was the treatment Ireland had met with from the Imperial Parliament which was the excuse, apology, and justification for the agitation which rendered it necessary to lay such a Bill on the Table of the House. At the time of the Union, land tenure in Ireland was in all respects identical with land tenure in England and Scotland; but because the Irish farmers had votes and returned Members who held the balance between opposite parties in that House, things had been done by successive Governments which they never would have thought of doing otherwise for Ireland. The laws of political economy had been set aside, and concessions had been made that were not justified by right or reason, or by any consideration except the circumstance that Irish tenants had votes, and the votes of Members were wanted by the Government. The result had been that the Representatives of the occupiers of land—of those who experienced the inordinate, insane, land-hunger of Ireland—had come to the House with ever-increasing demands, and were always like the sons and daughters of the horse-leech, crying "Give, give;" and, like Oliver Twist, asking for "More." To show that he was not taking an extreme view, he would quote the Solicitor General of the Liberal Government in 1873, who then said—"The object of all law is to make men certain of their tenure of property." But the conduct of Governments had had the reverse effect, and had made landlords insecure. The first Irish Land Bill was brought in by Mr. Sharman Crawfurd in 1843, and all that it proposed to do was to give the evicted tenant compensation for improvements. In speaking upon this Bill, Sir Robert Peel discountenanced what was called fixity of tenure, or any alienation of the rights of landlords. Between 1843 and 1875 25 Irish Land Bills of varying scope were introduced; and speaking against one that was introduced by Mr. Maguire in 1863, Lord Palmerston said it was founded upon a violation of the natural rights of property. At another time that noble Lord uttered the well-known saying that "tenant-right is landlords' wrong." Parliament dealt with the question on the sound principles of political economy until we came down to the gushing Gladstonian treatment, and substituted passion and impulse for reason, by adding compensation for disturbance to compensation for improvements. At that time they might have expected the shade of Lord Palmerston to appear among them; if it did not, why was it? Why did he remain in peace in Westminster Abbey? According to his recently published letters, he believed that when he was gone there would be many changes which would produce anxiety and confusion in the country. Therefore, he would not have been surprised at anything proceeding from a certain quarter, and on that account he did not again appear on the floor of the House. But had the law of 1870, so pushed against the rules of political economy, succeeded? The statement now made, that there was an absolute necessity for the amendment of the law, showed that it had not. Even in 1870 there were prophets who said that even the measure of that year would not be accepted as a permanent settlement of the question. Since then a dozen other Bills had been introduced, and the House was now considering a Bill which was the corollary of that of 1870, in that it overrode law and covenant. Nothing would satisfy tenants until control of the land was taken absolutely from the landlords; that, then, was the result of wrongful Imperial legislation. What course, then, would the House take upon this question? He had no doubt as to the course of the present Government—he had no doubt they would stand by freedom of contract, and stoutly resist this Bill. Last year, in dealing with the Agricultural Holdings (England) Bill, and this year, in dealing with another Bill, they had stood upon the principle of contract, and he hoped they would not now coquette with Home Rule, in spite of the scandal of the Manchester Election. It was a scandal that both a Liberal and a Conservative should coquette with Home Rule and should pledge themselves, in order to secure the Irish vote, to consider a measure for the disintegration of the Empire. The great body of the Conservative Party were sound on this question, and he wished he could speak with equal confidence of the front Opposition bench. Would they speak out as Lord Palmerston would have done on this Bill had he been living? The right hon. Gentleman (Mr. Gladstone) defended the action of the Duke of Leinster, when the Leinster leases were denounced as an infringement of the principle of the Irish Land Act of 1870. The right hon. Gentleman said that the Duke of Leinster had not gone beyond either the letter or the spirit of the discretion entrusted to him by that Act; and he declared that in the opinion of the Government tenants of above £50 were capable of taking care of themselves. He thought that the right hon. Member for Greenwich might well have been in his place during the present debate, and he owned he was curious to know how he should have spoken and acted on this Bill. Last year the House had before it the Agricultural Holdings (England) Bill, when several Amendments were moved by the late Solicitor General (Sir William Harcourt) providing that landlords should not be allowed to contract themselves out of the Act. Whenever the House divided on those Amendments he remarked that the right hon. Member for Greenwich glided silently into the Lobby and voted in favour of those Amendments. He wished, therefore, to know whether it was to be a point in the Liberal creed that there should be interference between landlord and tenant; and not only an interference to set landlord and tenant at variance, but to invest the latter with the greater power? If so, doubts would arise as to the rights and the security of property, and it would be a long time before the Liberal Party would cross over to the Ministerial side of the House. He trusted that the Irish Members would have the courage to follow the example of the hon. Member for Kerry (Mr. Herbert), who had followed the hon. Member for Roscommon ["Hear!"] in his opposition to this Bill. He regretted that when an hon. Member had shown a disposition to form an independent view on this subject, the mention of his name should be received with a sneer by some Irish Members. He found by the report in the newspapers that the hon. Member for Roscommon (the O'Conor Don), having attended a meeting of his constituents, was asked whether he would support this Bill. He said his present impression was that he could not do so, and he put this question to the tenant-farmers, who supported it —"How would you like the value of your heifers to be appraised by a jury of butchers?" That was the *argumentum ad hominem*. Something was then said about the hon. Member resigning his seat, and he gave an answer which he thought did honour to him—"If I cannot hold the position of your Representative without sacrificing my own conscientious convictions I will resign with pleasure the representation you confided to me." He (Lord Elcho) was desirous of paying due tribute to the character of an Irish Member, and he trusted many other Irish Members would follow his example. If the Home Rulers supported a Bill of this kind the House would see what chance the Irish landed proprietors would have in an Irish Parliament elected under Home Rule. He knew the course that would be taken by the great majority of the English and Scotch Members; but a policy subversive of the rights of property could not be established for political and party purposes in a neighbouring island without exercising a prejudicial effect on this side the Channel. He had on a former occasion quoted stronger expressions used by Scotch farmers than anything they had heard during the debates on the Irish Land Act. That was the result of breaking through sound principles, and when they once departed from them there was no saying where they would stop. He trusted that English and Scotch Members, including the Members of the front Opposition bench, would put their feet firmly down, so that there would be no coquetting with Home Rule; and that the supporters of this Bill would be told there was no use in bringing forward a measure subversive of the rights of property. Every man interested in the rights of property of whatever kind should resist this attempt to palter with and upset those rights which were the real basis of the social system. This Bill established fixity of tenure with regard to land, and the House might just as reasonably be asked to pass a Bill affecting the monetary interests which established, for the benefit of the borrower, fixity of loans at fair interest, the rate of interest to be fixed by a jury of borrowers, and a free right of sale of the loan. He trusted that the Bill would be rejected by such a majority of English and Scotch, with an infusion of Irish Members, as to show that the security and rights of property were still main objects which it was the duty of the Government and of the Imperial Legislature to maintain.

THE O'DONOGHUE: Sir, the speech of the noble Lord (Lord Elcho) has been an attempt to show that the Bill of the hon. and learned Member for Limerick is an interference with the rights of property. This I absolutely deny. Much depends upon what is included in the term, "rights of property." The noble Lord evidently thinks it is an essential part of the rights of property that the landlord shall be able to dispossess his tenant at short notice, and shall be entitled to put upon the land any rent that he pleases. The position taken by the noble Lord and those who have joined him in opposing this Bill really comes to this—that they think that the Irish landlords have a perfect right, whenever they so please, to serve notice to quit upon the occupiers of the land, and to dispossess them of their holding in the soil. Sir, we take a different view. We contend that the only right of the landlord is right to a fair rental for his land, and that he is not competent himself to fix that rate; and we contend, moreover, that the safety of the State absolutely requires that even the nominal power of dispossessing the whole of the occupiers should be taken away from the very few individuals who hold it. We know that this power never can be brought to bear *en masse;* but, nevertheless, every individual of the tenant class lives under the apprehension of being one day made the victim of that power. I have as much respect for the rights of property as any hon. Member who has addressed this House: yet I am one of those who approve of this Bill, not merely as to its principles, but as to all its details. I pointedly refer to its details, because we must all feel that the details are necessary to give effect to the principles of the Bill, and that the mere assertion of approval of the principle would really mean nothing. The Bill is not only worthy of support, but it calls imperatively for the support of those who represent Irish constituencies. There can be no doubt that the legislation of 1870 on the Irish land question was not conclusive. As one of those who warmly advocated the measure of 1870 in the hope of giving Irish farmers that security against eviction and its consequences to which they were entitled, I may add that my expectations were not realized: at the same time, every fair man will admit that the position of the Irish occupier is better since the Act of 1870 came into operation than it was previous to the passing of the Act. Whether we look at the actual and possible advantages or at those general principles to which it has given the sanction of the law, we must admit that the Act conferred certain benefit. That Act of 1870, at all events, by giving the tenant the inalienable right to compensation for certain improvements, has proclaimed that he has claims to the soil, which previously did not apply to the tenant exclusively, but to the owner of the land. Under the Act tenants have received a sum amounting in the aggregate to £1,000,000, where, but for that Act, they would not have received one farthing. To that extent the Act of 1870 has worked beneficially. But, nevertheless, I cannot admit that the Act of 1870 has settled the land question. On the contrary, there are special grounds for the introduction of the Bill of the hon. and learned Member for Limerick. The Act has not given the Irish farmer complete security against eviction and its consequences, and without complete security against eviction and its consequences the Irish farmer never can be content. The way in which the insecurity of tenure affects the Irish farmer is twofold. First, it renders him liable to be dispossessed of his land, leaving him in an almost destitute state, and without the means of beginning life anew. The Act of 1870 was intended as a remedy for these evils. The Act did not say—"You must not evict," but says—"If you do so the law will impose penalties in the shape of fines." It was thought the imposition of fines would have a double effect on the landlord; but all our experience of the working of the Act has clearly proved that the obstacles thrown by the law in the path of the evicting landlord are wholly insufficient to prevent him from evicting. The Act is wholly inadequate to save the tenant from passing through an ordeal prejudicial to his mind and his body, and destructive of his attachment to the institutions of his country. The most that can be said of the Act is that it has to some limited extent checked the process of evicting, and to some extent diminished the fearful consequences of eviction. Under the law as it stands the position of an evicting landlord is in no sense materially changed—he can evict as much as ever he could, and I deny that he is a material loser—all he wants is to find some one who will recoup the outlay of the outgoing tenant in consideration of his getting the tenant's holding. The landlord has good reason for believing he will not be much of a loser. He prepares to dispute the claims of the tenant, knowing on how slight a foundation his claims rest, and knowing that his object is to secure all that he can. Long before the case comes to be tried the landlord has had transferred to his pocket more than the sum likely to be awarded to the tenant. The Act of 1870 has provided the tenant with an arena where he can meet his landlord, but from which he always retires landless. All his claims are resisted step by step, and, resting upon uncertain foundations, are diminished to the lowest extent. The Court feels—and I think with truth—the tenant asks for more than he is likely to get, and that makes the Court give him less than he is fairly entitled to. There is room for disputation as to what are and what are not improvements, and as to whether the tenant has or has not enjoyed the benefit of the improvements fully accomplished—there is no certainty as to the sum to be awarded. No two of the 30 Judges agree. Where one Judge gives £50 another gives £25 for a similar claim, and another £15. It seems impossible to set up a standard by which claims can be equally decided. Then there are deductions to be made. So that so far as tenant's compensation goes, the result left to the tenant is almost equivalent to nothing—whatever may be the decision, the tenant is landless and ruined—driven from his old home, and without the means of providing himself with a new one. It is my opinion that this is a just description of the working of the Act of 1870 in three out of four of the Provinces of Ireland. This state of things not only justifies, but renders absolutely necessary, such a Bill as that of the hon. and learned Member for Limerick. The Act of 1870 created great expectation in the minds of the Irish farmers. But what do the tenants see? Not only that the landlord can evict without loss, but eviction may be a source of absolute gain. The result is a state of apprehension and discontent, which may be easily imagined when the causes which give rise to those feelings are discussed. Men live in apprehension of being evicted and ruined, I assert, without fear of contradiction, that even when living under the best landlord, he is merely at the mercy of that landlord's will. They know that the will of the landlord may be capricious, and there is the universal desire to be delivered from that precarious condition. Uncertain of the nature of their tenure of the soil, depressed with the disastrous consequences of eviction, they have no more faith in the realization of their wishes under the present Act than they have of the Man in the Moon. They believe this Bill affords the best means of providing for their security against eviction and its consequences. I am not the less disposed to believe that the landlord has certain inalienable rights. Those rights I take to be, getting a fair rent for his land, and providing against the land being sub-divided at the mere will of the tenant. In case the landlord and tenant are not able to agree, the question of improvement might be decided in Court. It is admitted that there are cases in which sub-divisions are most injurious to the public interest, and there are cases in which sub-divisions might take place with advantage; and here I would say the right of the landlord to interfere with his tenant ought to end. All I would say is that the tenant has a right to farm the land at a reasonable rent—I would invest him with fixity of tenure as long as he paid his rent—with the absolute right to dispose of his interest as tenant whenever he was disposed to leave, or when the time fixed by law for the expiration of tenancy has expired. It may be superfluous to mention that Ireland is a country occupied by tenants, and I merely direct attention to the obvious fact in order to call attention to another fact, equally obvious, that the power of the landlord to select others to take the places of those in occupation is a perpetual temptation to evict, and a frightful source of eviction. Under the Bill the premium now paid to the landlord for the eviction of a tenant would be gained to the tenant if he wished to, or was compelled to, sell his interest. We all know that landlords get enormous amounts from those anxious to get into the occupation of their farms. We are told if this Bill passes the tenant will neither be able to cultivate his farm nor pay his rent. If injurious consequences follow from payment to the tenant, injurious consequences must certainly follow from payment to the landlord. No one ever heard a landlord say to a tenant—"You are offering me too much; if you pay me so much I must reduce your rent." On the contrary, the very utmost price is insisted upon and the rent not unfrequently raised. What would be the effect on the occupiers of land in Ireland of giving them absolute protected right, and forbidding the landlord to interfere, unless the tenant failed to find a purchaser or unless the tenant failed to pay the rent? The main cause of eviction would be removed, and in addition the tenants would feel that if the worst happened and they were evicted, they would be supplied with ample means to set up a new home or to emigrate without the risk of incurring dire want. We all know the pertinacity with which the Irish farmer sticks to his land. The reason is that the loss of it entails ruin; and the principal reason against the late Act is that its provisions have failed to arrest this ruin. The agents of the Land Court go in, and through their being skilled in the process everything is undervalued—it may be fairly said that the tenant receives only nominal prices. By the Bill of the hon. and learned Gentleman the reverse of that would take place. The tenant would have something real and tangible to dispose of, and the probability is that instead of getting less he would get considerably more than what, from a British point of view, might be deemed the exact value of his land. If the tenant was empowered solely to dispose of his interest, the sale of the tenant's interest would be as rare, if not rarer, than that of landlords is now. The first and dearest wish of an Irish farmer's heart is to retain possession of his farm and transmit it to his child. By this Bill his means of gratifying his wish would be considerably increased. He never leaves his farm except under compulsion, and I believe the sale of the tenant's interest would be less frequent than that of the landlord. We have yet to consider what would be the effect on the general condition of agriculture by the change proposed in the Bill. The tenant would have in reality increased incentive to keep his land in the highest state of cultivation. His two objects now are to supply the landlord with rent and to supply his family with something to eat. Under the Bill proposed he would work to keep his farm in the possession of his family, with a view of keeping his land in such a high state of cultivation that if necessity compelled him to leave he could take it into the market and sell at the highest possible price. If he allowed his land to fall into waste, if he exhausted it, he would get little in comparison with what he would get for better working. All who know the Irish farmers know that there are not in the world more industrious or honest men, or men more alive to their own advantage. All they want is to be enabled to work for themselves as well as their landlords. They want a right in their farms, either by fixidity of tenure or by an honest right to sell their tenant-right. These rights stimulate them to the utmost exertion of which man is capable, and which create universal contentment, where there is now discontentment and uneasiness. There is one thing against which I am anxious to guard myself, and that is, against the suspicion of making an attack on the Irish landlords. I deny that they are oppressors. I believe, as a body, they are men with good feelings towards their tenants—not only feelings of self-interest, but feelings generous, good, and benevolent. It might be asked why, if this were so, should there be any interference? Why not leave them as they are? Well, it was an intolerable grievance for the farmers to be dependent on the will of a body of men. It was not less true that the Irish farmer lives in constant dread of being evicted. The old despotism was intolerable, not because feudal serfs were decapitated, but because they were liable to decapitation. They asked for an Act of Parliament to release them from eviction and its consequences, and from being completely dependent on the will of others. We live under a Sovereign renowned for Her virtues and whose benignity is proverbial; but if any one proposed to invest even Her with all the prerogatives of the Tudors or Stuarts it is certain the nation would go frantic at the proposal to place such power even in such hands, as a traitorous attempt on public liberties. The Irish farmer never can have more satisfactory foundation than the virtues of a class, which I am ready to recognize, but who are subject to human frailties, and cannot always overcome the temptations to which they are exposed. The Bill of the hon. and learned Member would invest the Irish occupier with greater security, and would in no way impair the rights of the landlord. The tenant never again could be disturbed so long as he paid a fair rent. The question of sub-division would be regulated on public grounds, and there would be no more profits from eviction. The landlord would only be entitled to interfere in case of the transfer of land, or in case the tenant, on leaving, failed to find another tenant to purchase his interest. As to the question of rent to the landlord, the principle of valuation has been already admitted. No one ever lets a farm without having it valued. The valuation should be such as to inspire and command public confidence. Such confidence could never be inspired by any valuer who was the mere nominee of the landlord. The Bill would not involve any great sacrifice; but even if it did, I have such an idea of the chivalrous sentiments of the landlords of Ireland that I believe they would make such sacrifice in order to secure the repose of the country and the satisfaction of the people. The Irish land question is such that an Irish Parliament, even when incorporated with an English Parliament, is entitled to deal with. If Irish landlords would bestow on the tenant fixity of tenure, subject to a fair rental, with the right to dispose of their interests and to invest those interests with the sanction of the law, it would be impossible for the Imperial Parliament to interpose its veto. It has often been said that this is a question which can only be settled by a local Legislature. But what are the peculiar arguments to be submitted to the Lords and Commons sitting on the other side of St. George's Channel, which cannot, with equal force, be submitted here? For my part, I cannot understand why reason and argument ought not to be as potent in this House as in any other place in the world. You do not say that our organization here is less potent than it would be in other parts of the United Kingdom. The Imperial Parliament, by settling this question, would give Irish occupiers that sense of security in their holdings which is essential to their happiness, would confirm their confidence in its justice, and crown the strength of the Imperial Government.

SIR MICHAEL HICKS-BEACH said, he should endeavour to compress his observations into the smallest possible compass because of the lateness of the hour; but it was right he should state at the outset that the Government felt bound to give a most decided opposition to the Bill. The last speaker (the O'Donoghue) had referred to what might happen in an Irish Parliament, and the hon. and learned Member for Limerick had said he felt sure that an Irish Parliament would not inflict wrong on Irish landlords. He did not know how that might be, but he was convinced that in no reasonable deliberative Assembly in the world, representing not only owners and occupiers of land, but also all other classes interested in the real welfare of the community, could such a measure as the present ever become law. The measure before the House consisted of three parts — The first related to the Ulster custom; and the Preamble of the Bill stated that in order effectually to carry out the intentions and object of the Land Act, it was essential to make provision for the enforcing of those customs. Now, the provisions of the Land Act with respect to the Ulster custom rested on this basis. Parliament recognized in Ulster the rights of property in the landlord; but it also recognized that those rights had, by usages varying in different parts of the Province and on different estates, become subject to certain limitations on behalf of the tenant, and the Act legalized those limitations. But this Bill proposed to reverse the procedure of the Act of 1870. That Act provided that it should rest with the tenant to prove the usage with respect to his holding; the Bill placed the onus of proof on the landlord. It proposed that all holdings in Ulster should be subject to the most extreme tenant-right prevailing in any part of the Province, unless the landlord — on whom they threw the utmost difficulty of proof—was enabled to prove the contrary. So far, then, as the Ulster custom was concerned, the Bill could not be considered as proceeding on the principles of the Land Act or as being framed with a view to carry out the intentions of that measure. It took a totally different point of departure, ignored what had been done by the Land Act, and by the provisions it proposed to enact with regard to the Ulster custom, would deal most unfairly with the landlords of that Province. For its effect with regard to many recent purchasers of land would be this—that in cases where persons had given high prices for properties because they were subject to certain limited customs, it would impose on the properties so bought a tenant right of the most extreme extent, and transfer to the pockets of the tenants sums for which they had never paid anything, and to which they were in no way entitled. Again, it would deal most unfairly with existing owners in Ulster, who had purchased from their tenants the tenant right. It was impossible to create a custom by law. A custom might be legalized, and that they had done by the Land Act, but there they must stop; and, on the part of the Government, he was bound to say that he could not assent to any Bill which dealt with the Ulster custom on any other basis. The second part of the Bill related to compensation to tenants for unexhausted improvements. Now, the contention of the hon. and learned Gentleman (Mr. Butt) was that certain landlords in Ireland had induced their tenants to contract themselves out of the Land Act in respect of their rights for unexhausted improvements, and he gave two instances, as to one of which he gave no name. He mentioned a case of an estate in Meath. Perhaps he referred to the case of Mr. Preston.

MR. BUTT said, it was not that estate—he alluded to the Meath case only in reference to the service of notices to quit, and the consequent disturbance of the peace of the whole county.

SIR MICHAEL HICKS-BEACH: If the hon. and learned Gentleman did not refer to the case I have mentioned, I cannot tell to what he alluded.

MR. BUTT: I had better mention the name. It is Nicholson, and the case related to the service of notices to quit.

SIR MICHAEL HICKS-BEACH: Why, that case occurred 10 years ago. It was an old habit of the hon. and learned Gentleman to seek to support his proposals by resuscitating that which he (Sir Michael Hicks-Beach) feared was not likely to tend to the promotion of order and peace in Ireland—the history of ancient wrongs. Then the hon. and learned Gentleman mentioned the Leinster leases. What happened in that case? Undoubtedly these tenants, having holdings over £50 value, contracted themselves in their new takings out of the benefit of compensation under the Land Act. But why did they do so? Because in obtaining fresh leases of their farms at the rents agreed upon they unquestionably received fair compensation for the improvements they had made. In considering the question before the House, it should be remembered that the value of land in Ireland had enormously increased of late years, and that not so much from the action of landlords or the improvements of tenants as from other causes, such as the greatly increased price of produce—and tenants, finding themselves in possession of farms at rents which were fixed, perhaps, at the time of the famine, wished that those low rents should continue not only for their own lives, but also for the lives of those who succeeded them. The landlords, however, naturally thought that they had a right to share in an increase of the value of their own land which was due to an increased demand on the part of the consumer for the article produced and not to any act of the tenants themselves. Their right to do so would not be questioned in England or in Scotland; but as regarded Ireland it was claimed—and the claim was urged by an ex-Professor of Political Economy—that the tenant, who was essentially a temporary occupier of his farm, should have, not only a proportion, but practically the whole of that which in all other parts of the Kingdom was recognized as belonging to the landlord at the termination of the tenancy, and to the tenant up to that date. The fact was that tenants under the Land Act, if their landlords tried to exclude them from their rights to compensation, could appeal to the Chairman of Quarter Sessions; and were entitled, if holders under £10, to as much as seven years' rent for disturbance, and also to the value of any unexhausted improvements that might be left. Why, tenants in Ireland were in an infinitely better position than those in England or Scotland—for in England they were not entitled, even under the recent legislation, to anything more than their unexhausted improvements. In Ireland they were also entitled to compensation for disturbance; and if under £50 they could not contract themselves, under the Act, out of any claim for compensation which the Land Act allowed them. It might, indeed, be said that the terms of the Act rendered it impossible for any Irish landlord to carry out a scheme of such wholesale eviction as had been referred to by one or two speakers during the debate, but which he could not believe ever existed. He now came to the third part of the Bill, as to which he really must quote the words of the hon. and learned Member (Mr. Butt), in order to show what the House was called upon to accept. The hon. and learned Member spoke to this effect—"Until the land question is settled you will never have peace and contentment in Ireland. It cannot be settled without security of tenure, and you cannot give security of tenure without depriving the landlord of the power of eviction and fixing the rent at which the farm is to be held." But what reason had there been shown to the House for this change beyond an old story of landlord tyranny in Ireland, composed of anecdotes dating from any period within the last 500 years, except the present time? What proof had been shown that this revolution in the interest of the tenant and against the landlord was really required? They had hardly heard lately of evictions. What was the extent to which they had gone? He had taken some trouble to make himself acquainted with the facts for the last year, 1875. He found that there were 686 evictions in that year, out of nearly 600,000 occupiers of land; and of these something like two-thirds were for non-payment of rent. Of the residue, there were instances of all kinds to show that the eviction was rarely, if ever, the act of the landlord—they were for debts due by the tenants to other creditors, or arose from quarrels between relatives, decrees in bankruptcy, orders of the Landed Estates Court, and legal causes of various kinds. In many cases the tenants were re-admitted, and in some, where the eviction was for non-payment of rent, compensation was, he believed, voluntarily given by the landlord. These facts showed that the case attempted to be made was really as unsubstantial as it could possibly be. The Bill, in fact, was not wanted by the good tenant. The good tenant had security enough at present; for, under the provisions of the Land Act, no landlord in his senses would try to evict him. The tenant on whose behalf the Bill was promoted was the man who did not pay his rent, and who allowed his farm to deteriorate from year to year; and it was asked that that man should be put in permanent possession of his farm, in order, forsooth, that having deteriorated it to the utmost extent, he might be enabled to sell his interest in it to an incoming tenant—perhaps even more insolvent than himself. But they were told by the hon. and learned Member that the proposal was in accordance with the principles of the Land Act. Well, it was not for him to defend the principles of the Land Act. Right hon. Gentlemen opposite might take that task upon themselves. But he ventured to say that the Land Act never was intended by Parliament entirely to take away from the landlord the right of evicting tenants from his property. It was intended to deter landlords from capricious evictions, and that he believed it had succeeded in effecting so far as legislation could possibly effect it. Now, by what process did the hon. and learned Gentleman propose to carry out the third principle of his Bill? The tenant was to give notice that he required his rent to be fixed; and he and the landlord were to agree, if they could, on an arbitrator for that purpose, who was to be a person practically engaged in farming land in the division of the county in which the land was situated. The arbitrator was to fix the rent of the farm and to do so without reference to the rent being paid for it at the time by the tenant; and it was gravely argued that the decision was likely to be a fair one as between the parties. But if by chance the landlord should object to his rent being dealt with in that way, then the tenant was at liberty to appeal to a jury. He (Sir Michael Hicks-Beach) ventured to think that no description of such an appeal could be more true than that which had been so wittily and courageously given by the hon. Member for Roscommon (the O'Conor Don), when he said it was like asking farmers to submit the price of their fat heifers to a jury of butchers. The jury would be selected from the special and common jury lists of the county in which the farm was situated. He had endeavoured to ascertain how the juries at the last Spring Assizes, in some purely agricultural counties, were composed, and he found that in the county of Clare the common jury panel consisted of 137 farmers and 29 persons of other classes; and the special jury panel of 40 farmers and 8 of other classes. In the county of Limerick the special jury panel included 33 farmers out of a total of 48, and the common jury 137 out of a total of 141; while in Cork County the common jury consisted of 164 farmers and 73 persons of other classes; and the special jury of 30 farmers and 18 persons of other classes. The jury, then, would be a jury of farmers, and could be nothing else, and by their decision the future rent to be paid by a farmer residing in their locality was to be fixed. The decision was to be subject to the determination of the Chairman of the county that it was reasonable, but if he should think it was not, which, he should like to know, would soonest tire of the discussion—the jury or the Chairman? In point of fact, the Bill—or this portion of it—would take from the landlords and put into the pockets of the existing tenants that reversion of the landlord's property which had hitherto been considered as a principal portion of a landlord's rights. And how would it affect the improvement of land in Ireland to place the landlord in the position of a rent-charger, and to deprive him of all inducement to reside upon and manage his own property, and to aid in those thousand ways in which a resident landlord could, the moral and physical well-being of the community in which he was interested? Would not such a measure discourage him absolutely and entirely from expending any of his own money on a property of which he was no longer master? So far as the rest of Ireland was concerned, apart from the existing tenantry, he ventured to say it would be the worst Bill that could be passed. It provided that where farms existed of more than 60 acres, they might be divided, and let to subtenants. But it might be said that the landlord could, if he chose, object to such a proceeding. Why should he object, when he was deprived of all interest in his property? Would not the result of this be a return to the old exploded system under which the great majority of the land of the country would come into the occupation of a class of middlemen who would sub-divide their farms, the population would be increased as in the earlier part of the century, and you would have, in the end, such a lamentable conclusion as the Famine of 1847. Or, on the other hand, if such sub-division did not take place, by giving to the existing occupiers the monopoly this Bill would confer on them they would debar all other classes from all chance of becoming occupiers of land, a position which agricultural labourers and industrious men of all pursuits were so desirous of obtaining. He could see no reason which would justify the House in assenting to such a proposal. Ireland was in a condition of progressive improvement—the comfort and wealth and contentment of the tenantry were increasing in spite of this agitation, and he trusted the House would not, at this period of the history of the country, afford any countenance to a measure which appeared to ignore those principles of right and justice on which alone the prosperity of a people could be based.

MR. LAW said, he had wished to state to the House the reasons why he and those with whom he acted, whilst regarding the first and second parts of the Bill as suggesting Amendments of the Irish Land Act, some of which at least were entitled to favourable consideration, with the view of better carrying out the main provisions of that measure; yet, on the other hand, believed that no sufficient grounds had been or could be shown for such a total departure from its principles as was proposed by the third and admittedly most important part of the Bill. As, however, the few minutes then remaining would be quite insufficient for the purpose, he begged to move the adjournment of the debate.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. Law.*)

Mr. DISRAELI said, that under the circumstances referred to by the right hon. and learned Gentleman he thought it but fair that the debate should be adjourned.

Mr. BUTT hoped that the earliest possible day would be fixed for the renewal of the debate.

Mr. SULLIVAN also strongly entreated and pressed the Government to grant a day for the resumption of the debate.

Mr. BUTT proposed that the debate should be adjourned till Monday next.

Mr. DISRAELI: We have already fixed Monday for the Budget, and it can hardly be suggested that we should displace the discussion of the Budget for that of a question which, after all, is one of abstract policy—a question of great interest, no doubt, but one in reference to which no reason can be shown why we should disturb in its favour the existing arrangements as to the public Business. I have no doubt the hon. and learned Gentleman will be able to obtain a day by the usual means and resources at the disposal of all hon. Members, for the continuation of this discussion, which will be equally fresh even if it is not renewed for a month.

Mr. BUTT said, he only suggested Monday in order that on that day a future day might be fixed for renewing the discussion.

Motion *agreed to.*

Debate *adjourned* till *Monday* next.

And the House having gone through the Unopposed Business on the Paper—

House adjourned at ten minutes before Six o'clock.

HOUSE OF LORDS,

Thursday, 30*th March,* 1876.

MINUTES.]—Public Bills—*Second Reading*—Royal Titles (41).

Committee — *Report* — University of Oxford (16-45); Sea Insurances (Stamping of Policies) * (40).

UNIVERSITY OF OXFORD BILL.—(No. 16.)

(*The Marquess of Salisbury.*)

COMMITTEE.

Order of the Day for the House to be put into Committee, read.

Earl GRANVILLE said, it would be more convenient, and in the end save time, if the noble Marquess would defer the Committee until to-morrow, and then take the Committee on the Bill in the regular way. He was aware that it was now proposed to go into the Committee *pro formâ,* for the purpose of inserting the Amendments of which the noble Marquess had given Notice; but, as he proposed to go into the actual work of discussing the Bill in Committee to-morrow, he did not see what was gained by inserting the Amendments in the Bill only 24 hours in advance of the substantive discussion of the measure. If the House went into Committee on the Bill to-night the Amendments inserted would greatly alter its character, and some of his noble Friends would not know what course to take when the Bill came to be discussed in Committee to-morrow.

The Marquess of SALISBURY said, that, although he was disposed to accede to the suggestion of the noble Earl he feared there would be some inconvenience in agreeing to it. The course which he had followed of inserting the Amendments at once was sanctioned by long usage. He had 70 Amendments, and if they were moved from the Chair, that of itself would occupy at least an hour. When the Bill was re-committed with the Amendments inserted, every noble Lord would have an opportunity of objecting to those he disapproved, and could move that they be struck out of the Bill; instead of moving that they be not inserted. It was not reasonable that they should depart from the ordinary course, especially as by doing so no greater facility would be afforded to noble Lords to consider the Amendments.

The Earl of KIMBERLEY pointed out that if the Amendments were inserted that night, the Bill could not be reprinted and circulated to-morrow in time to enable noble Lords to consider the Amendments and to give Notice of their objections, if any, to them.

The Duke of RICHMOND and GORDON said, he gave Notice of the course which his noble Friend (the Marquess of Salisbury) proposed to take in reference to the Bill. If the course suggested by the noble Earl opposite should be sanctioned, noble Lords would still be unable to give Notice of their objections, so that they would be in precisely the same position if the Amendments were inserted in the reprint of the Bill as they were now while they were printed on separate pieces of paper.

Earl GRANVILLE asked what precedent there was for the present course of proceeding in respect to such an important Bill?

The Lord CHANCELLOR said, that Notice was given on Monday last of these Amendments, and they had been printed and circulated and were in the hands of noble Lords; therefore time had been given for considering them, and for giving Notice of objections. He contended that the course which had been pursued would be very much more convenient than to have separate sheets of Amendments.

House in Committee accordingly; Bill *reported*, without Amendment; Amendments made; Bill *re-committed* for *To-morrow;* and to be *printed*, as amended. (No. 45.)

ROYAL TITLES BILL—(No. 41.)

(*The Lord President.*)

SECOND READING.

Order of the Day for the Second Reading, read.

The Duke of RICHMOND and GORDON: My Lords, in asking your Lordships to give a second reading to the Royal Titles Bill, I do so in the confident hope that it will meet with your unanimous approval. I am the more justified in this hope, because I see that as to the second reading no Notice of any Amendment has been placed on your Lordships' Paper. As this is the case, it appears to me that on an occasion like the present it would add grace to the proceeding if we could ensure unanimity, and I trust the Bill will be accepted by an unanimous vote. The Bill is by no means long. Its object is contained in one clause. The purport of the Bill is to enable Her Majesty by Proclamation under the Great Seal to assume a title in addition to those which she now bears, and to connect that title with Her Indian dominions. The Preamble contains this recital—

> "And whereas by the Act for the better Government of India, passed in the Session of the twenty-first and twenty-second years of the reign of Her present Majesty, chapter one hundred and six, it was enacted that the government of India, theretofore vested in the East India Company in trust for Her Majesty, should become vested in Her Majesty, and that India should thenceforth be governed by and in the name of Her Majesty, and it is expedient that there should be a recognition of the transfer of government so made by means of an addition to be made to the style and titles of Her Majesty."

My Lords, you have now before you a statement from the Bill itself of all it purposes to do. During the progress of the measure in the other House of Parliament, it was urged that it would be for the convenience of the Legislature that the Government should state the title which they would advise Her Majesty to assume in the event of the passing of the Bill. In compliance with that request, it was stated by the Prime Minister in the House of Commons that in the event of the Bill passing Her Majesty would, on the advice of Her Ministers, assume the title of "Empress of India." Therefore, to put it shortly, practically the Bill is to enable Her Majesty to assume the title of Empress of India. At the time of the transfer of the government of India from the East India Company to Her Majesty, I believe there is no doubt whatever that the assumption of a title by Her Majesty in connection with her Indian dominions would have been acquiesced in and agreed to by Parliament and the country; but the state of India at the time did not permit of such a course being taken. While the embers of the Mutiny were still smouldering, and while considerable excitement in connection with that rebellion still existed throughout that vast continent, it would scarcely have been expedient to take the step now proposed. It was thought that the transfer should be effected in as quiet a manner as possible, in order that no possible reason could be afforded on our part for a continuance of that excitement. Since, then, however, nearly 20 years have passed, and the peace and prosperity which have prevailed throughout India generally during that period have taught the Princes, Chiefs, and people to appreciate the authority of Her Majesty. Those who have watched—and I think there are few people in this country who have not watched—the progress of His Royal Highness the Prince of Wales through that Empire, must have observed with satisfaction that the loyalty and attachment towards Her Majesty and her family are not confined to her subjects in this country, but extend to her distant dominions in the East. Every one in this country is familiar with the urbanity and courtesy which have made His Royal Highness so popular in this country—and these have had the same effect in India. We find that from North to South, and from East to West, the Native Princes have vied with each other in the splendour of their receptions, therein manifesting their loyal feelings towards the Prince of Wales and, through him, towards Her Majesty. I am happy to think, therefore, that no more fitting opportunity than the present could be found for enabling Her Majesty to mark more distinctly her sovereignty of the Empire of India than this, and that no measure could more tend to cement the union between this country and that vast dominion, or to gratify the feelings of the Princes and Chiefs of that part of the world. I should have thought, moreover, that any measure such as this, which would at the same time gratify the people of India by bringing them into more direct communication with the Supreme Power that has existed over India since 1858, would have specially recommended itself to the Imperial Parliament. I believe that what this Bill will enable Her Majesty to do is of that character, and therefore I feel much confidence in asking for it the hearty approval of your Lordships. My Lords, the late Lord Palmerston, who, I imagine, no one in this House would think of speaking of in terms other than those of respect, was a man who might be regarded as an authority on a subject of this kind. I will therefore take the liberty of quoting some remarks made by him in 1858 on the impression which the transfer was likely to make on the minds of the people of India. You may call this "sentiment" if you like, but your Lordships will see the importance which Lord Palmerston attached to it. He said—

> "I believe there can be no doubt that, so far as the impression on the minds of the people of India is concerned, the name of the Sovereign of a great Empire like this must be far more respected, far more calculated to produce moral and political impressions, than the name of a Company of Merchants, however respectable and able they may be. We have to deal in that country with Princes, some ruling independently and some in a state of modified dependence upon us, and with feudal Chiefs proud of their position, cherishing traditionary recollections of a wide Empire, and of great Sovereigns to whom their ancestors owed allegiance."—[3 *Hansard* cxlviii. 1283.]

My Lords, I think the relations between this country and India could hardly be expressed in happier or more concise terms than those. We must not in this case lose sight of the character of the people with whom we have to deal, nor of the feudatory position now occupied by the Native Princes of that people. In a Report on *The Material Progress of India in* 1868-9 I find this extract from a despatch written by Lord Canning—

> "The last vestiges of the Royal House of Delhi, from which, for our own convenience, we have long been content to accept a vicarious authority, have been swept away. The last pretenders to the representation of the Peishwa has disappeared. The Crown of England stands forth the unquestioned ruler and paramount Power in all India, and is for the first time brought face to face with its feudatories. There is a reality in the Suzerainty of the Sovereign of England which has never existed before, and which is not only felt, but eagerly acknowledged by the Chiefs."

I think that in that passage of Lord Canning's despatch a good reason may be found for doing what we now propose. The Report contains this comment on that despatch—

> "Written at the conclusion of the great Mutiny, this despatch of Lord Canning's clearly explained the change which that momentous event had brought about, and resolved the question of the position of the feudatory Chiefs of India, who had hitherto acknowledged the nominal sovereignty of the Emperor of the Moguls or of the Mahratta Peishwa. Their allegiance was, in fact, thenceforth transferred to the Queen of England; and the same despatch decreed, what Hindoo law had never absolutely ordained, that adoption to a Raj should always

be recognized by the paramount Power subject to the two conditions of loyalty to the Crown and fidelity to all engagement to the British Government. The sunnud or patent confirming this decree was issued on March 11, 1862, and a similar patent was given to Mahomedan Princes. To 153 feudatories is this right of adoption guaranteed. Leaving out Mysore, which, during the Maharajah's minority, is administered by the British Government, and Berar, which is administered for the Nizam, these nobles govern a population and area larger than those of France and Belgium. Their troops far outnumber our Sepoy army, their ordnance is equal in number to ours, their wealth is enormous, and their revenues are personal. From 44 millions of people, covering 579,277 square miles, they draw a revenue of 12½ millions sterling every year, irrespective of the very large incomes of the nobles who are in their turn feudatory to them. The twelve wealthiest Princes alone enjoy an annual revenue of seven millions sterling, derived from 26½ millions of people. Of these twelve, the Nizam of Hyderabad has an income of £2,150,000, and the Maharajah Scindiah one of £1,110,910, and remainder drawing incomes varying from £240,000 to £600,000."

Those, my Lords, are the Princes over whom, since 1858, Her Majesty has exercised paramount sway. It was for these, and for other reasons that Her Majesty's Government thought this a fitting and opportune time for Her Majesty to bring herself into more direct connection with Her vast Empire. If, then, it is fitting that Her Majesty should assume a title in connection with India, it behoves us to consider what is the title which would properly indicate the paramount position of Her Majesty in relation with those Princes. I suppose I need not consider the suggestions as to "Supreme Ruler" and "Lady Paramount" which have emanated from several persons. It appears to me that the choice lies between "Queen" and "Empress;" I think it must be narrowed to that. Assuming that there is to be a distinctive title given to Her Majesty in connection with her sovereignty of India, which would—Queen or Empress—be the more applicable to the position? My Lords, I venture to think that the title of Empress implies more directly the sovereignty which Her Majesty exercises over the Native Chiefs, and I do not think the title of Queen does imply that kind of sovereignty. I think that the title of Empress does correctly indicate the connection between Her Majesty as the Supreme Head, and the various Native Princes who make up in the aggregate our Indian Empire; and that to describe her as Queen would not convey to the Oriental mind the position she holds towards them. It may be said, "What's in a name?" In reply I urge that when you are dealing with such people and Princes as those of India, there is a great deal in a name, and the name of Empress does convey to their minds the position which Her Majesty justly and legitimately holds in India more than any other title she could assume. But it has been said that the title "Empress" is not only un-English, but is a title repugnant to the feelings of the people of England. As to its being repugnant to the feelings of the country, there are modes of arriving at those feelings, with which modes your Lordships are familiar. There are two to which we may always have recourse. If there be in question any matter which engages the attention of the country, or of the two Houses of Parliament, or even of one branch of the Legislature, we are accustomed to find Petitions on that question presented to this and the other House of Parliament. But it is a very remarkable fact that until lately no Petitions for or against the proposal of the Government have been presented to either House of Parliament. Now, having regard to the importance of the Bill, that circumstance is not a little remarkable. I believe that up to a certain time no Petition whatever was presented on the subject, although it was alluded to in the Speech from the Throne at the opening of Parliament. I am aware that at a certain stage of the progress of the Bill in the other House of Parliament a Petition against the measure was presented in that House; but that Petition was not numerously signed. It emanated from some reverend gentleman, who considered that the country, or he himself, would be aggrieved if the Queen took the new title. Whether other Petitions were presented afterwards to the other House I do not know, but if so they must have been very few; and I must say that on a question like this it has scarcely ever happened that so few Petitions have been presented. It is perfectly true that this evening Petitions on the subject have been presented to your Lordships' House by my noble Friend opposite (Earl Granville), and that there was such a bundle of them that he was unable, with all his well-known assiduity, to get through the task of reading the names of the places from which they came.

EARL GRANVILLE: My remark about not being able to read some of the Petitions which had reached me applied not to those which I presented, but to an immense bundle which I did not present because I had not had time to verify them, and I deferred the presentation to a future stage of the Bill.

THE DUKE OF RICHMOND AND GORDON: I will not stop to examine where the Petitions came from; but I say that up to this time the feeling of the public had not manifested itself by petitioning Parliament against the Bill. The noble Earl, no doubt, had Petitions sent to him, and I think I can show there is as little doubt they were sent to my noble Friend in consequence of his occupying the position which he so gracefully fills in this House in connection with his Party. But the origin of these petitions is perfectly clear, and proves the opposition to be an afterthought. From a paper which I hold in my hand, it appears that an organization for getting up Petitions against this Bill has been set on foot, and what that organization is I shall be able to show to your Lordships. I hold in my hand a letter in the form of a Circular. It is headed "National Reform Union." Then there follow the names of the officials of this Union—"John Slagg, Chairman of Executive; Samuel Watts, Treasurer; and James Southern, Honorary Secretary." The Circular is in these terms—

"41, King Street, Manchester, March 27, 1876."

—so that it must suddenly have occurred to the National Reform Union that up to this time it had been very supine in this matter, and had never thought of petitioning. Suddenly, however, the Union roused itself—may I say for the purpose of inundating your Lordships with Petitions?

> "Dear Sir,—A strong effort is being made here against the Royal Titles Bill. I herewith enclose forms of Petitions, which please have signed by as many inhabitants of your town as possible, and forward the Petition to the Lords, to Lord Granville, House of Lords, London, S.W.,"—

These I suppose are the Petitions which the noble Lord has not as yet had the opportunity of reading, but with which I suppose he will make himself familiar before long.—

> "on or before Wednesday next, the 29th inst., in order that it may be presented before the debate on the second reading of the Bill, which is to take place on Thursday next; and the Petition to the Commons should be forwarded either to Mr. Fawcett or to the Member of your borough or county, with a letter announcing the sending of the same, on or before Thursday, the 30th inst., as Mr. Fawcett's Resolution will be made on Friday, the 31st inst. Petitions must be written (not printed) bold and clear,"—

My noble Friend will not have any difficulty in reading them when he can find leisure to do so.—

> "and some signatures must be made on the same sheet on which the Petition is written. Any additional sheets containing signatures must be fastened with gum to the Petition sheet so as to make one long continuous sheet.—Yours faithfully, ARTHUR G. SYMONS, Secretary."

Your Lordships will mark the postscript—

> "N.B.—The sending of the Petition in time is of more importance than the securing of a large number of signatures."

This, my Lords, is the direction given for the getting up of Petitions which your Lordships will be asked to regard as indicative of the feeling of the country—"Do not mind the number of signatures; only get Petitions." Still, we certainly have not yet received a clear intimation of the feeling of the country through the number of Petitions that have been presented. Then there is another way of ascertaining the feeling of the country—seeing what the Press says. Now, I maintain that the feeling of the Press before this question degenerated into one of Party warfare—and to this it unfortunately has degenerated—was in favour of the course which the Government had proposed to Her Majesty to adopt. That was the opinion of leading journals. It was even stated by a leading journal that, in its opinion, Empress was the only title which the Queen could adopt. In a leading journal of February 9 I find this passage—

> "But whatever may have been the best course in the past, there can be no doubt that the adoption of an Imperial title is a peculiarly happy way of signalizing the Indian journey of the Prince, by whom it is some day to be worn."

In another journal of the same date were these remarks—

> "Although it will but formally express an existing fact to denote the British Sovereign as 'Empress of Hindostan,' the quick-witted people of the Orient will thoroughly appreciate the significance of the measure, following as it does upon the pleasant visit of the Heir Apparent."

That is exactly what we say. We say that this is a fitting opportunity for the assumption by Her Majesty of a title which will indicate her position in relation to the Princes and people of India. I do not mean to lay any stress on what I may call the historic arguments which have been made use of in the other House of Parliament and in the Press. I will only use that part of the case to show that the Imperial idea was not always repugnant to British feelings, because we have it from the time of Henry VIII. down to the beginning of the present century. If such were the feelings it is curious that Queen Elizabeth should have been proclaimed Empress in Westminster Hall at her coronation; and that our poets in alluding to her and Queen Anne should have applied the title of Empress to both. That this should have been is an argument against those who say that that title is repugnant to English feelings—I do not put it forward as any strong argument, but merely to show that the country was used to it in times past. But I should prefer to rest the case on Indian grounds—as it should rest—and to show that in our own times the title of Empress has been recognized in India as the one which naturally belonged to Her Majesty. In a letter dated August 18, 1873, from his Excellency the Viceroy and Governor General of India to his Highness Atalik Ghazee Yakoob Khan, Ruler of Yarkund, there is this passage—

> "Mr. Forsyth is also the bearer of a Royal letter from Her Majesty the Queen of England and Empress of Hindostan, in reply to your Highness's letter of September, 1871."

Now, my Lords, I think it need scarcely be observed that the Viceroy would not have given Her Majesty the title of Empress of Hindostan if he did not believe it was the one which rightly belonged to her. Next I think I can show that the title is one which will be gratifying to the people of India. I fear to trespass on your Lordships' time; but I know you will feel with me that the subject is of such importance that I ought to lay it before the House as clearly as I can. In 1869 there was an Exhibition at Kurrachee, and it was decided to strike silver and bronze medals in connection with that Exhibition. A reference was made to Sir William Merewether, the Commissioner of Scinde, suggesting that his bust should be placed on one side of the medals, and, in reply, he wrote a letter, a copy of which I hold in my hand. It is in these terms—

> "To W. A. Ingle, Esq., Honorary Secretary
> Kurrachee Christmas Fair and Exhibition.
>
> "Sir,—While fully appreciating and most highly esteeming the personal honour to myself contained in the propositions carried at the meeting of the General Committee, Kurrachee Fair and Exhibition, I would at the same time beg to suggest for the consideration of the gentlemen forming that Committee that the designs savour rather too much of the immediate locality and have not sufficient reference to the scope we hope the Exhibition may command. I would, if I may be allowed, venture to suggest as we look to bring people from all parts with a view to the extension of knowledge and commerce under the protection of the Government of our gracious Sovereign, that the device on the one side should be a bust of Her Majesty, while on the other there might be a small group of a Sindee, Afghan, Punjaubee, and Indian, standing round a few bales of merchandise, with inscription 'Kurrachee Exhibition, 1869.'
>
> "I have, &c., "W. L. MEREWETHER, Col."

The views suggested by Sir William Merewether were adopted. Silver and bronze medals were struck, and I hold in my hand one of the latter. On one side of it I read this inscription—"Victoria, Queen of Great Britain and Empress of India." My Lords, we have advised Her Majesty, in the event of this Bill receiving the sanction of Parliament, to assume the title of Empress of India. We protest against the supposition that in giving this advice we have done anything that can in any way impair the ancient and Royal dignity of the Crown. Her Majesty reigns over an united Kingdom and an united People—a People scattered, it is true, over all parts of the earth, but united in one bond of loyalty to the Throne and of affection for the land of their fathers. The case of India is, as I have endeavoured to show, an exceptional one; and no dignity which Her Majesty may be graciously pleased to assume in connection with her Indian dominions, can add to, or diminish, the lustre of that august title, by which her ancestors have been known through many centuries of glory, and by which she herself now reigns in the hearts and affections of a loyal and united People.

Moved, "That the Bill be now read 2^a."—(*The Lord President.*)

THE DUKE OF SOMERSET: My Lords, before I touch on the general question raised by the Bill now before your Lordships, I wish to sweep away some of the errors which have arisen in connection with it in this and the other House of Parliament. I desire, my Lords, to raise the veil of Asiatic mystery which has been drawn over this proposition, and to exhibit the proposition as it appears when unadorned by any such contrivance. I am first going to read what was announced in the Queen's Speech at the beginning of this Session. It was this—

> "At the time that the direct Government of my Indian Empire was transferred to the Crown, no formal addition was made to the style and titles of the Sovereign. I have deemed the present a fitting opportunity for supplying this omission, and a Bill upon the subject will be presented to you."

Now, my Lords, I contend that in 1858 there was no omission. At that time this question of title was deliberately and carefully considered, and at that time Her Majesty the Queen had one of the best councillors any Sovereign ever had in the person of Prince Albert, who knew well what was due to the dignity of the Crown and to the Constitution of this country. What was the Proclamation issued at that time, after it had been seen by Prince Albert? It was one of a very different character from that which will go forth if this Bill passes. It was—

> "Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland, and of the Colonies and Dependencies thereof in Europe, Asia, Africa, America, and Australasia, Queen."

This appears to me to be a grand title. It takes within its scope the whole of Her Majesty's Dominions, and it is in accordance with the ancient Constitution of this country. But instead of that grand title we are to have what to this country is a new-fangled title, and a title which, if it means anything at all, means military power. The noble Duke (the Duke of Richmond) says that it has been accorded to the Sovereigns of this country from the time of Elizabeth down. Yes—but it has been used as an epithet and not as a Parliamentary title. I should like to call attention to what happened a few months ago. A great question arose about the word "Reverend." The clergy were put in a fluster by it, the Nonconformists were indignant, it agitated the whole ecclesiastical world, from the Bishop down to the sexton—they did not know what to do about this title "Reverend." Well, this went on till the noble and learned Lord on the Woolsack, with his powerful understanding, cleared the matter up by deciding judicially that "Reverend" is an epithet, and not a title. So, if we deal with the word "Empress" simply as an epithet, there will not be much harm done; but it will be a serious thing were we to alter the Royal style and title. We are now told that the Imperial title will gratify the people of India; but only the other night the noble Marquess the Secretary of State for India explained to us that the people of India were politically dumb. Whom will it gratify, then? Will it gratify the Princes of India? Will it gratify them to be told that they are to have a title for the Sovereign which the people of England repudiate, and which the Ministers dare not apply to England? It seems we are not to have "Imperial" here in any form. According to the Prime Minister, we are not to have even Imperial Highnesses in England; but we are to send the title to India—it will do for the Indians—and the people and Princes of India are to be subjected to a yoke which in England we will not bear. That is not very complimentary to Her Majesty's subjects in India. But the Prime Minister says that the hordes which interposed between another Power and India have been subdued, and he proposed to defend India—by what? By making the Queen an Empress. Well, we have all heard in eloquent language of the "cheap defence of nations," but I never heard of such a cheap defence as that. The Prime Minister is a man of brilliant genius and of Oriental imagination. He has become intoxicated by the atmosphere of the Court, and, desirous of paying to Her Majesty a great compliment, he thought nothing would do so well as to make her an Empress. He has literary tastes of a high order, but he is not the man to despise nursery rhymes when they are appropriate; and we can imagine him walking in with this offer of an Imperial Crown and saying—"Is not this a dainty dish to set before the Queen?" It has not, however, a flavour which the British people approve, and they seem inclined to stick to the old honoured title of Queen—a title which we in this House are especially bound to respect. It is an honoured hereditary title, and if there be one Estate of the Realm more especially bound to regard it than another, it is the hereditary Chamber. The new title will have an autocratic flavour about it; but considering how ancient is that which has been borne by the Sovereigns of this country, if any Party in the State ought to be foremost to maintain it, that Party is the Conservative Party. People have, however, been led away from the real interests of the case. We all knew that the Prime Minister is given to vagaries of a wild and poetical character; but we had a right to expect that the common sense of noble Lords on the front bench opposite and the sound understanding of the noble and learned Lord on the Woolsack would have saved us from this title. We cannot have Lord Derby's opinion about it. He is away in a foreign Court, where, I suppose, he is practising his unaccustomed lips to pronounce the new title of "Empress." But have the Government considered where, when the Queen shall have been honoured with this name of Empress, she will come in on the list? How will the assumption of this title be regarded by the other Courts of Europe? What rank in the order of precedence is Her Majesty to be allowed as Empress? Is she to come in at the bottom of the Imperial list as having only just come into her title? The noble Duke (the Duke of Richmond) says that the opposition to this proposal arises from Party feeling. My Lords, I can assure your Lordships that it is not from any Party feeling that I raise my voice in opposition to this Bill. I desire to display no Party feeling. I visit my displeasure upon both Parties, for that matter; but I say this question has nothing to do with Party. I oppose this measure because I consider it contrary to the spirit of the Constitution. I dare say very soon we shall see the Imperial title in illuminations and transparencies; we shall see "His Imperial Highness" at every turning in the streets. But there is a re-action in political as there is in physical life, and I think it would be wiser to adhere to the Constitution. *Quieta non movere* is a sound maxim. Any change of the Royal title ought to be carefully considered, and it ought not to be, as was one time said of a proposal of Mr. Gladstone's, "a fantastic innovation." What is this addition to the Royal title but a fantastic innovation? Who has asked for it? Who wants it? It is not wanted in this country. Is it wanted in India? Had the noble Marquess gone to the Prime Minister and said—"There is a great danger coming on India; there is a great enemy in the North coming down. Create Her Majesty an Empress and all will be right?" No, the noble Marquess did nothing of that kind. But what I want to know from the noble and learned Lord on the Woolsack is, How are we to limit this title? This title is to be taken under Act of Parliament, but is to be assumed by Proclamation. What will your Proclamation avail? Will a Proclamation override an Act of Parliament? How, then, will you stop the misuse of the title? We are told its use will be confined to India—that it will only be used in India, and that it will not be used in England. Why, every sycophant will hasten to use the title—we should some how or other in the Act of Parliament provide that the title shall not be used in England. I do not believe its use can be so limited, and I can only say this—that one Peer at least shall raise his voice against a measure which cannot, in my opinion, have any other effect than the humiliation of the Crown.

Lord NAPIER and ETTRICK said, a good deal of invective had been poured forth in respect of this Bill; but if he were to take any part in the discussion he should endeavour to treat the subject exclusively and purely from an Indian standpoint—believing, as he did, that it was chiefly a matter of Indian interest. At the same time, he must protest in anticipation against the imputation of being treated as a flatterer or sycophant if he advocated, in a modified degree, the policy adopted by Her Majesty's Government on this occasion. He protested against the epithets which the noble Duke who had just spoken (the Duke of Somerset) had cast at those who advocated a course different from that of which he himself approved—in doing so the noble Duke made a cheap exhibition of independence. He held it to be highly desirable as a matter of policy, that Her Majesty should assume a distinct and specific title marking her connection with her Indian subjects. First, because the assumption of that title would be a manifestation and a proof in the most conspicuous terms to the Princes and People of India that their destinies were indissolubly and entirely united with the Crown and Empire of England. Had the Princes and People of India any doubt upon that subject? He would not affirm that there was a positive doubt in their minds that they were to remain subject to the dominion of the British Crown; but, nevertheless, he did affirm that it was not at all a matter of indifference that their convictions on that subject should be confirmed and consolidated by the measure now proposed. The noble Duke had referred to what had been said by the Prime Minister in "another place" in reference to the approach of Russia. He was not going to defend the Prime Minister—it might not have been perfectly discreet in the Prime Minister in his position to have alluded to Russia exactly in the terms in which he did it—he did not say that those terms were the most appropriate that could have been chosen—but he maintained that there was a real and substantial foundation for the views which the Prime Minister had expressed. The adoption of the title of Empress with reference to India would tend to consolidate and strengthen the authority of the Indian Government, and to manifest to foreign Governments that the Government of England was determined for ever to maintain inviolable its rights with reference to India. He would indicate some influences which had a disturbing effect on the minds of the people of India. There was a school of writers and thinkers in this country—he might describe them as Pure Economists—which had always contended against maintaining foreign colonies and dependencies excepting on grounds of material advantage, and which laid stress on the responsibilities and risks that were attached to their possession; and these views were studied by the educated classes in India, where there were persons who thought that if the possession of India were proved to be not commercially advantageous the English might not be very reluctant to be delivered from the burden. There was another school in this country—the Philanthropic School—whose great object was to encourage the Native element to regard the English Government almost as if they were merely political pedagogues —the guide, *goroo*, and friend—of India. There were people being educated in India at that moment who really did believe, or who shortly would be induced to believe, that when our benevolent and protective function was expended the people of England would be prepared to take up their hats and, offering their congratulations, would politely bow themselves out and leave the people of India to take care of themselves. There was another influence which tended to shake the minds of the people of India in their belief as to the stability of our rule, and that was the attitude which our Government assumed during a course of years in its policy towards Russia and other foreign countries. He ventured to say that both in foreign countries and in India the impression had been gaining of late years that this country was not prepared to resume those risks and to make those sacrifices which it had done in the past to preserve the dignity of the Crown and the entirety of the Empire. He should never forget the painful impression with which he once heard the expression of a Russian diplomatist and statesman upon that subject. In conversation with him upon certain political eventualities which seemed to be impending, he (Lord Napier and Ettrick) said that in such eventualities the resistance of the English Government might be expected. The Russian statesman replied in deprecation and surprise —"Resistance, my Lord, is a word which has no longer a place in the political vocabulary of England." If such an impression existed in the mind of a Russian statesman, might it not exist in the minds of other persons in Europe much less well-informed, and in a still greater degree in the minds of the ill-informed and easily-deluded classes of our Indian fellow-subjects, who were at the mercy of a profligate and factious Press, which reproduced all the exaggerations and illusions of the English and Continental Press. He believed that the assumption of the proposed title by the Queen would have a salutary and confirmatory effect in persuading our Indian fellow-subjects that their lot was cast in for ever with the fortunes of England, that they would never be dissociated from us under any circumstances; that we possessed India not only for the good of India, but for the greatness, and glory, and pride of Great Britain; and that they would always be associated with a wise, beneficent, and liberal Government. He considered that the adoption of this title was desirable, because it would be agreeable and pleasant to the Princes of India. There were in India ancient and powerful Princes; but those who were powerful were not ancient, and those that were ancient were not powerful—there was no superiority, no predominance claimed by one over the rest—nor was there the least shadow of jealousy, antagonism, or apprehension as regards this country. The noble Duke (the Duke of Somerset) had said that the proper opportunity for the adoption of this title might have occurred immediately after the Mutiny, at the time of the proclamation of Lord Canning, but that it had been deliberately rejected. It was easy to understand that with reference to the Native Powers of India it was not considered desirable to adopt the title at that moment; but he thought it might be very desirable and legitimate to assume it now after a lapse of 15 or 16 years of a perfectly peaceful, popular, and salutary government in India. Whilst it might have caused alarm at that moment, it could now be adopted without exciting the least apprehension. There never was a moment when that title could so well have been assumed as the present. Of the three groups of native political element and power in India, the first were, the Sikhs, who were formerly powerful, but who had now no representative or head of any importance. The second was the Hindoos —there were certain powerful Hindoo Chiefs who were jealous of each other, but showed no jealousy of the English Crown—on the contrary, they had just given proof of their devotion and allegiance to Her Majesty. Lastly, there was the Nizam of Hyderabad, who was the head of the Mussulmans, but he was an infant, who would, no doubt, be trained in European ideas. There was at the present time no Native Prince who was likely to be in the slighest degree offended by the adoption of the new title, and Native apprehensions were all the less likely to be aroused that the most recent acts of the English Government in India had been of the most moderate, most just, and most re-assuring character. If any Native Prince had misgivings as to the intentions of the English Government he had only to think on the course we had taken with reference to the territory of Mysore, which was freely, willingly, and liberally restored, or to reflect on our treatment of the State of Baroda, in order to be completely re-assured. Or, if apprehensions still remained in the minds of any of the Native Princes, the noble Marquess opposite (the Marquess of Salisbury) would have many opportunities of showing by his acts that he intended to pursue a liberal and disinterested policy. If the adoption of the title would be agreeable to the Native Princes, it would decidedly be acceptable to their subjects. The principles of English learning, the English language, and the principles of English government and justice were now being disseminated in the Native States, and it would be a satisfaction to the subjects of those States to know that Her Majesty would assume a title which would be expressive of her general interest in all the inhabitants of India, and they would derive from it an impression that they were more likely even than they were before to be protected against the injustices tyrannies and of Native Governments. If agreeable to the subjects of Native States he ventured to think this new title would be equally agreeable to Her Majesty's own subjects in India. It would be gratifying to their pride and their sense of importance; it would cause them to feel that they were directly associated with the British Crown, and were placed more nearly upon an equality with Englishmen. These were, of course, personal reflections; but having had an opportunity of asking those who were familiar with the Indian people, he had never heard a doubt expressed that an addition to the title of Her Majesty would be acceptable. Only yesterday a missionary who had laboured in that country for upwards of 30 years—Dr. Law—told him that he had not the slightest doubt that wherever there was anybody in Bengal capable of appreciating the subject at all they would be flattered, gratified, and pleased by the notion that Her Majesty had brought her supreme dignity into more immediate contact with them. Admitting, then, the desirability of adopting a new title, the question arose, What should that title be? Was it to be an English title? It would be the greatest error in the world to suppose that the Queen could bear a Native title and that it would be acceptable. The Queen was an Englishwoman and a Christian, and she must have in India an English and Christian title. There were two ways in which it would be popularly conveyed to the Indian mind—on the coinage and in public documents and proclamations. Now, it would be incongruous to associate on the coinage an English Sovereign with a Mussulman or Hindoo superscription. It would of course be necessary to translate public documents and proclamations for the sake of the people to whom they were addressed. It would be for Orientalists to determine what the translation should be, but the genuine and authentic title must be an English title always. Much had been said about the title "Padishah." That was the title borne by the Mussulman Emperors of Delhi; and could not properly be applied to a Christian Sovereign. The Emperors of Delhi employed it because it was a Mussulman title which they had brought with them from Central Asia to their new dominions. They would not adopt a title from their subjects; nor could Her Majesty. Nor did "Padishah" express the supreme and general authority which belonged to the Queen; and, indeed, it had been rendered impossible for the Queen to adopt it, because 30 or 40 years ago the King of Oude was entitled "Padishah." not only with our assent, but the title was actually bestowed upon him by the English Government. The new title should be one which as absolutely as possible delineated and marked the complex nature of Her Majesty's authority in India. This would at once absolutely reduce them to the adoption of the title of Empress. The title of King or Queen was used in common parlance to express direct sovereignty over immediate subjects. Was the Queen the Sovereign of the Mussulman Nizam of Hyderabad in the same sense as she was our Sovereign or the Sovereign of her subjects in India? The tie in that case was so slender, so indirect, so evanescent as hardly to be seen. There were relations between the subjects of Native States and Her Majesty, but they were not expressed by the word "Queen." It was necessary to adopt some other title. The noble Duke (the Duke of Somerset) said it was no compliment to the people of India that a title which we in this country despised, rejected, and repudiated should be cast to them. The fact was exactly the contrary; for if they were to call the Sovereign of India "Queen," it might excite some degree of suspicion or doubt in the minds of Native Princes or subjects. They might say, "It is the same word; does it mean the same thing?" But they gave not a less honourable but a different title in order to satisfy and please them, and to avoid offering to them the slightest indignity or offence. It had been said by the noble Duke opposite (the Duke of Richmond and Gordon) that practically it was a choice between the title of Queen and that of Empress. He (Lord Napier and Ettrick) did not think that that was so. He believed it would come to that, but he did not think it need. There was an expression long familiar to, and respected by, the people of India, and it had been the recognized designation of the British Government since the Proclamation, and that was—"Paramount Power." That word exactly represented the relations between Her Majesty and the Princes and People of India. He thought Her Majesty might have been advised, in deference to our relations towards India, to take the title of "Paramount Sovereign" in India. He thought that would have been a just and accurate title; that it would have become familiar and acceptable to the people of India, and have created no jealousy whatever. But if any title resembling "Paramount Sovereign"—and he thought that was the best—was impossible—if it had been deliberately rejected by Her Majesty or Her Majesty's Government—then the only title which remained to them was that of Empress. He could not say he thought the title of Empress was altogether appropriate or accurate; it meant either simple sovereignty, as in the case of Brazil or Russia, or else headship of a national confederacy, as in Germany. It was taken generally to imply that the German Emperor was the chief of a national confederation of independent sovereigns and municipalities, and that there was a bond of national feeling, national union, and also a form of national religion. It could not be said that, in this sense, the Queen was really Empress of India, for there was no tie of a common nationality between her and the Princes and people of India; but he must admit that the title was a great deal more accurate than that of Queen. It conveyed to our minds in its popular sense the notion of complex sovereignty exercised over sovereigns of several States in India. He could not doubt that it was in some degree already familiar to our fellow-subjects in India, and would be received by them without astonishment, without jealousy, and without any apprehension whatever. With regard to the painful impression which the adoption of this title had seemed to create in England —as to which he might not perhaps be thought a competent judge—he held a very strong conviction that whatever painful impression might be produced at this moment would be of a transitory character. He would not yield to any Member of that House in attachment and veneration for the ancient and simple title of Queen of the United Kingdom, and if he entertained the slightest apprehension that that title was ever to be postponed to that of Emperor or Empress, or any other title in the world, he would protest against the adoption of the additional title as strongly as any one in their Lordships' House. But he could not seriously entertain the apprehension that the Sovereign of this country would ever assume and use a title which was repugnant to the sentiments and convictions of Her people—repugnant to the desires and the resolutions which it was competent for both Houses of Parliament to embody and express at any moment. And as to the slight difficulty that might occur in reference to the use of the adjective or epithet "Imperial," he should leave that to be shaped according to the convenience of public correspondence and according to the sentiments and wishes of the country, which would be insensibly imparted to the Government and the Sovereign, and would be respected by Her Majesty in the same way in which she had uniformly respected the wishes of her people.

EARL GREY said, his noble Friend the President of the Council, in moving the Bill, had attributed much of the opposition made to it to Party feeling, but he thought he, at all events, would be acquitted of being influenced by Party motives in the remarks which he was about to make, for it had now been many years since he had taken part in any Party movement. More than that, he would not shrink from declaring that he earnestly desired that the present Government should remain in office, because he looked with apprehension to what might be the consequences of the return of their Predecessors to power. So far from having any Party object in view in the few observations which he was going to make before the Bill was read the second time, it was his main purpose in those observations to endeavour, if possible, to prevent any Party division in that House upon the subject. When the subject was first brought under the notice of Parliament in the speech from the Throne, the country was left in ignorance of what the new title was to be. His noble Friend (the Duke of Richmond) said that when the Prime Minister announced that the new title of Her Majesty would be that of Empress of India, that proposal was not at first objected to; and his noble Friend seemed to attribute the gradual growth of public sentiment against that proposal since that time to the efforts of politicians. But he (Earl Grey) did not think that was a correct view of the change of feeling which had undoubtedly taken place on the subject, or of the objection now generally felt to the proposed change in Her Majesty's title. He was not surprised at the gradual growth of that public sentiment, for it took some time for a proposal of that kind to be thoroughly understood by the public. An idea seemed to have dawned upon the public by degrees that, by adding the title of Empress to Her Majesty's present title, the old historic title of "Queen of England" would be overshadowed, and that by her assumption of the title of Empress, that of Queen would to a certain degree be driven into oblivion. That seemed to be the impression of the people, and he believed it was a right impression. If it were true, as the noble Lord who had just spoken (Lord Napier and Ettrick) had said, that the title of "Emperor" implied some one having rule over other Kings, and that the title implied, therefore, something higher than the title of Queen—if that was true, we all knew that a higher title ordinarily had precedence of a lower title which a person possessed; and so it seemed to have come before the minds of the people of England that if Her Majesty was to become Empress of India the old historic title of Queen of England would be overshadowed by that of Empress. That was felt to be a very strong objection to the adoption of the title of Empress; and it was an objection which he fully shared. It was also felt that though the title of Emperor, no doubt, in former times was a high and dignified title, which carried with it great power over the minds of men, that had now ceased to be true. Since the historic Empire of Germany, which was supposed to be the successor and representative of the old Roman Empire, fell, that title had been used in such a manner as to deprive it, in a great measure, of the grandeur which it formerly possessed. We could not forget that it was a title which had been assumed not only by the holders of great but short-lived power, but by low adventurers and even uncivilized men. We knew how that title had been degraded in men's minds by such circumstances, and there was a strong objection to the Queen of England giving up her old historic title to take up one which had been assumed by the Emperor Soulouque. Hence he believed that the title of Emperor had ceased to have much hold on the respect and deference of the world. But even if this were otherwise, if it were true that, in any just sense of the word, a higher dignity attached to the title of Empress than to the time-honoured title of Queen—still, it appeared to him that the increase of dignity for Her Majesty would be dearly bought at the price that must be paid for it in the dissatisfaction it would create. As far as he could judge, there prevailed at this moment among the people of England a very general sentiment against the adoption of the title of Empress by Her Majesty. The objections that were felt to the intended change of title might perhaps be unreasonable—those who entertained them might be prejudiced and mistaken, but admitting that it might be so, still, he asked, was it wise to shock even a prejudice that was honestly felt upon such a subject? Was it wise to wound the feelings of many of Her Majesty's most faithful and loyal subjects by choosing a title to which they had manifested so strong a disinclination? He had always felt that if ever a change of the style and title of Her Majesty should be made, it should be made only with the general concurrence of the whole country. His noble Friend (the Duke of Richmond) in bringing forward this measure stated most truly that upon a question of this kind it was of the utmost importance that, as far as possible, there should be unanimity. He entirely agreed with him. Even if he (Earl Grey) approved the title of Empress, he should disapprove of its assumption in the face of the feeling existing against it. This was one of those matters in which it was inexpedient to make any change in what existed, unless with the unanimous, or almost unanimous, assent of Parliament and of the nation. But this Bill came before them, having been opposed in the other House by a large minority; and what was more, it was notorious that many of the Members composing the majorities by which it was supported, gave reluctant votes in its favour, only because they waived their objections to a measure they disapproved, to save from defeat a Ministry they desired to support, and of which they considered the continuance for the good of the country. In society, and wherever men could speak freely on the subject, no matter what were their political views, nine men out of ten expressed their regret that this question was ever raised, and that a change of title was about to be made. That that was a matter of fact there could be little doubt; and the Prime Minister, in order, if possible, to allay the feeling against this Bill, stated to the other House that if it should pass, the title of Empress of India would be used only in India, except in this country in official documents relating to India. But after a lengthened discussion it turned out that this promise was a very illusory one indeed. Her Majesty could not have two titles—one in one place and one in another. If she was to be Empress anywhere, she would be Empress everywhere. He would most respectfully, but most earnestly, press upon Her Majesty's Government to consider whether it would be conducive to the honour and dignity of the Crown that they should, in spite of the offence which would be given to a large part of the people, persevere in forcing on a change in Her Majesty's style and title. To put an end to all contest and difficulty on the subject, it was not necessary that the Bill should be abandoned, he believed it would not even be necessary to amend it. He trusted that there would be no opposition to the second reading. But when the Bill reached its next stage, unless Her Majesty's Government thought fit to make some concession on this subject, he feared that it would be impossible to prevent a division on the Bill. The noble Earl near him (the Earl of Shaftesbury) had given Notice of his intention to move a Resolution on going into Committee on the Bill, and unless that Motion were rendered unnecessary by the action of Her Majesty's Government, many of their Lordships would, like himself, feel it to be their painful duty to support it. To do so would be, as he said, a painful duty, because he was persuaded that no Member of their Lordships' House could give without pain a vote against a proposal of this sort brought forward by the Servants of the Crown ; but still their duty, however painful it might be, must be done. He would, therefore, on this occasion appeal to Her Majesty's Government to save noble Lords from being driven to adopt this course. It was in their power to do so, without humiliating themselves or abandoning their measure. All that was necessary to avoid the inconvenience to which he had alluded was that before the next stage of the Bill was proceeded with, Her Majesty's Government should assure the House that, in the event of the Bill passing, they would advise Her Majesty to make a somewhat different use of the power which would be conferred upon her from that which was originally proposed, and that they would advise Her Majesty to adopt some other title than that of Empress of India. There would be no difficulty whatever in finding a title which would answer every object it was thought desirable to secure. According to the statement in the Queen's Speech, and from what had since been said, it appeared that the main purpose and object of this Bill was, by altering Her Majesty's style and title, to make a distinct declaration of her intention to maintain her sovereignty in India. Was it impossible to effect that object without the use of the word "Empress?" The noble Lord who had immediately preceded him (Lord Napier and Ettrick) had expressed his preference for the title of "Paramount Sovereign;" and there were many other equally unobjectionable titles that might easily be found that would fully carry out the intention of Her Majesty's Government in this matter. Sir Charles Trevelyan, in a letter which recently appeared in *The Times*, stated that it was long ago suggested that Her Majesty's title should be "Victoria, of the British Isles, of the Colonies, and of India, Queen;" and he saw no objection to the adoption of that style, which he regarded as an improvement upon Her Majesty's present title — which was, to say the least, a very awkward one. It was, therefore, quite in the power of Her Majesty's Ministers to propose a title which, while carrying out their object, would meet with no objection whatever. If, therefore, before this Bill got into Committee, Her Majesty's Ministers would announce to the House that they had advised Her Majesty, and that Her Majesty had been graciously pleased to accept their advice, that, in the event of this Bill passing she would take some different title from that of Empress, an end would be put to all difficulty on the subject. He entreated Her Majesty's Government seriously to consider this suggestion, for, if they went on—if they persevered in pressing forward this measure, without making any alteration in the scheme as it was brought forward, there would, he was afraid, be much agitation and disquiet in reference to it. Should they not take that course, there would be another, and perhaps an angry, debate and division in that House ; and it was evident from the Notices which had been given that the contest would be renewed in the other House. He did not know how that contest might end ; but he thought that there were significant symptoms that if it were to be carried on it would lead to great difficulty and inconvenience ; and, however it might terminate, it would be an unmixed and most serious evil. From that evil and from those inconveniences it was within the power of Her Majesty's Government to relieve them by adopting the suggestion he had thrown out—and he did not see what objection could be urged against it, or what public inconvenience could arise from Her Majesty's Government making the concession which he had ventured to indicate. By advising Her Majesty to adopt any other title than that of Empress they would be doing that which would most conduce to Her Majesty's honour and dignity as well as to her comfort. Such a concession would be by no means humiliating to Her Majesty's Government to make ; and even if they were to admit that they had in the first instance made a mistake on this subject, no one would deem them deserving of the slightest censure if they were to retrace their steps and to make a frank and graceful concession to the wishes of the people. Such a course would be most honourable and creditable on their part. He would not trouble the House further than to add that he did not wish to press Her Majesty's Government to express any opinion on his suggestion that night; on the contrary, he most earnestly pressed them to abstain from committing themselves either way with regard to it that evening. There was no hurry for determining this question, and it would be most unwise to press this Bill forward too hastily. He, therefore, pointed out to Her Majesty's Government the propriety of deferring their decision on the matter until Monday night, and the necessity there was for carefully considering the opinions which had been expressed with regard to this Bill. He trusted they would keep in view their own reputation as a Government and the honour and comfort of their Royal Mistress, and would not hastily reject the proposal he had ventured to make.

Lord LAWRENCE said, he believed that whatever title the Queen might assume, it would be received in India with pleasure by the great mass of the people. He did not, however, think it would have any real and permanent influence on their minds, or be any additional source of power to our Indian Empire. As regarded the English in India—the men who governed the country from one end to the other—they would be as ready as ever to defend the honour of the Queen and die in the defence of her rights. But, with great deference to Her Majesty, he could not help thinking that the grace, and honour, and influence which her name would bear in India would be somewhat diminished if Her Majesty were to assume a title which it was understood the people of England did not unanimously accept. If the new title of Her Majesty was to influence the minds and ideas of the Natives of India, to denote her sovereignty in India, it would be a great matter, in his mind, that it should be also accepted by the English people. He did not say that the addition of the title of Empress to Her Majesty's present title would be received with the least dissatisfaction; on the contrary, he thought it would be received with every satisfaction by the influential people of India. It appeared to him to be a matter of great doubt whether the English term should be used in India, or an equivalent in the language of the country. On the one hand, the title of "Queen" was great, and had been honoured by all Englishmen for centuries, and was connected with all the honours, glories, and successes of this country. But, on the other hand, the title would have no such force—no such significance in India. There it would carry no such power as in this country, and therefore it appeared to him it would be wiser to adopt for India the term which, after careful consideration, the Governor General in Council should judge to be the best translation of the title, and the most suggestive and acceptable to the country. No man who had mixed much in the Native society of India but would remember that with the exception of the well-educated Natives, English terms were hardly understood, and the Sovereign would be recognized, not by an English word, but by some native equivalent—the word Empress would not be pronounced as by the English, nor would it carry with it in their eyes the significance it possessed in this country. He did not think it was a matter of great importance whether the title chosen for India was of Mahomedan or Hindoo origin; but the title, as expressed in English, should have its equivalent in the Native language. It had no doubt been stated that the word Empress had been used in a letter to the Ruler of Yarkund; but the word Empress could not really have been used—it must have been some equivalent in one of the Native languages, for otherwise the Ruler of Yarkund would not have understood it. He thought it would be a great matter that the Government at Home should carry with them the authority of public feeling in this country, and that would render whatever title they might adopt acceptable to all classes of the people of India. He did not deny that this was a most suitable time for making such a change in Her Majesty's title as would denote her sovereignty in India. All the Princes and Chiefs were unanimous in their good will, sympathy, and gratitude for the courtesy with which they had been received by the Prince of Wales, and if anything of this kind was to be done, this was the most suitable and appropriate time. Hitherto the name of King and Queen had been in some degree mythical to the people of India—they had hitherto seen little or nothing of the

Royal Family, but no doubt the presence of the Heir to the Throne would have a beneficial effect on the minds of the Princes and Chiefs in India, and would contribute a certain strength and value to our power.

Lord WAVENEY desired, while the remarks of the noble Lord who preceded him were fresh in the recollection of their Lordships, to refer to the equivalent for the title "Queen," in one of the principal languages employed in India. The Arabic was the language of the sacred Book of the Mahomedan population, and the word "Queen" rendered by "Malaka" occurred in the Koran cap. 27, v. 29. It was also found as an attribute of the Supreme Being in the form of "King Maleke" in the opening chapter, v. 1. There could therefore be no difficulty in finding an equivalent which would be intelligible to the great body of the governing race in India. He hoped Her Majesty's Government would pay attention to the expressed wishes of the country in reference to this subject. It was true that the opinion had not been made known through the medium of public meetings to any considerable extent; but it had been fully expressed through the Press, alike in the metropolis and in the principal centres of industry throughout the country. The question had been discussed with perfect loyalty in the newspapers; but the tone of the discussion had made it clear that there existed a strong and growing hostility to the adoption of the title of Empress. He was far from saying that they undervalued the loyalty to the Crown of those who were Her Majesty's subjects through the power of the Crown; but there were other feelings and influences which, in their own loyalty, clustered around the throne of the Sovereign to whose kingdom they gave strength. If it were desirable to draw one instance from history he would remind their Lordships of the jealousy of the people when they found the Prince who was called the Great Deliverer surrounded by Dutch guards. In their loyalty to a Sovereign who was a great lover of liberty they saw no need of foreign intervention. With respect to the present Bill, he asked how it was that from India itself, from its Princes, no demand had been made for such a step as was contemplated? How did it come to pass that that body of distinguished statesmen and warriors, the British subjects in India who were collected in the most exalted Order of the Star of India, had not found it necessary to say they thought that this additional brilliancy should be attached to the Crown? In "another place" it had been intimated that the title of Empress was to be assumed by the Sovereign as a counterpoise to the title of that Sovereign whose outposts it was said were not far removed from the frontiers of the Empire of India; but he doubted very much whether the Tartar tribes through whom and over whom the Russian advance was being made, knew anything of the name of Emperor. He believed, on the contrary, that the name by which the Emperor of Russia was known to them was that of White Khan, and that the title of Czar was more familiar among them than was that of Emperor.

Lord STANLEY of ALDERLEY: If the Bill before the House were calculated to add to the lustre of the Crown or to the stability of Her Majesty's dominion, certainly no one would say anything in opposition to it. But bearing in mind the frivolous arguments by which it has been supported, some of which have been repeated this evening, it is impossible to approve of it, or to dissociate its sole authorship from the Prime Minister who habitually interchanges romance and statesmanship. The recent dealings with regard to the Suez Canal shares show a community of ideas with those to be found in *Tancred*; and here is another example. In his speech on the Address in February, 1873, Mr. Disraeli said—

> "Sir, we do not look with any jealousy on the natural development of the Russian Empire. Russia is an inland country of immense size with a very sparse population producing illimitable supplies of human food. . . . . It follows from such a natural combination of affairs that Russia must force her way to those waters which can alone allow her to communicate with the rest of the world . . . . and the policy of Russia as it has proceeded now for two centuries, so far as it has been a systematic attempt to obtain this access to the waters of the world—is a natural and inevitable policy, and one which I believe cannot and ought not to be successfully resisted."—[3 *Hansard*, ccxiv. 82.]

In his novel *Coningsby*, Mr. Disraeli wrote—

> "In return for this, he (Mr. Rigby) extracted much information from the Grand Duke on

> Russian plans and projects, materials for a slashing article against the Russophobia that he was preparing, and in which he was to prove that Muscovite aggression was an English interest, and entirely explained by the want of a sea-coast, which drove the Czar, for the pure purposes of commerce to the Baltic and the Euxine."

So that Mr. Disraeli gravely utters in a speech on the Address opinions which he has before turned into ridicule by putting them into the mouth of one of his characters representing Mr. Wilson Croker. What idea is suggested by Mr. Disraeli's statement that the title of Empress is to hold back the Russian advance to India? The most natural one is that of Mr. Disraeli standing before the Khyber Pass preparing with a mop labelled Imperial, like Mrs. Partington, to stop the successive waves of Uzbegs and Kirghiz, Turkmans, and Afghans, surging through the Khyber Pass. I am convinced that all faithful subjects of the Queen should oppose this measure which is fraught with danger to the Crown in England, and calculated to impair the stability of Her Majesty's dominions beyond the seas. Now that it has pleased the Legislature to establish a system of education under which the children of this country are taught under great difficulties to fear God and to honour the King, it is very dangerous to do anything which uproots tradition, and obliterates custom and national feelings. To touch national custom and traditions is as dangerous as to touch religion. Spain and Portugal have always held the dogma of the Immaculate Conception. It is engraved upon old monuments and fountains. Yet, when this dogma was recently promulgated I remember Spaniards who imagined it must be something new, and who refused to accept it, saying they would believe what their fathers had believed, and nothing more. In like manner, those who have felt affection and respect for the title of Queen, may hesitate to transfer those feelings to the title of Empress. With regard to India, the supporters of this Bill blow hot and cold: those who say that it will strengthen the British Government, must mean that it will alter the existing relations between England and the Princes of India; in that case, they intend what would be an usurpation. The others, who say that it is only a compliment to Indian Princes, have not proved that it would be so regarded; and as the existing relations between England and these Princes are as satisfactory as could be expected, any alteration of the present state of things is unnecessary. The advocates of a new title for India are also at variance with one another; since some argue upon the English title, others upon its Indian translation. If the English title be considered, the bulk of the people of India will draw no distinction between Queen and Empress. Those who know English and European history will suspect a title associated with conquerors like Napoleon, and despots like the Russian Emperors, and knowing that the Kings of France had for vassals the Dukes of Normandy, of Burgundy, and others, will suspect a sinister intention in a change which will appear unnecessary. With regard to the Indian translation of the title, there appears to be much misapprehension. There is no distinction in the East, such as there is in Europe, between the Royal and Imperial styles. The oldest and most historical Crown in Asia, or in the world—the Crown of the Kaianians, or of Persia—is a Royal Crown. Shah in Shah, King of Kings, does not mean a King over Kings, but a King amongst Kings, *o' Basileûs* the King, *par excellence.* Padishah is a favourite word with the Turkish speaking peoples, rather than a title of higher rank, and everywhere east of Turkey the Sultan is called the Sultan of Roum. The Sultan of Constantinople is addressed as Zat i Shahaniniz; your Royal person, not your Imperial person. Neither is there any ground for saying that Melik and Melikah, King and Queen, used hitherto in Government documents in India, are inferior styles, when it is remembered that "El Melik el Mutaal," the "Exalted King," is one of the designations of the Deity: as your Lordships may know from the English version of the Psalms. The country has been informed by a Minister that Empress is translated Shahinshah Zil i Subhanahu; but the right hon. Gentleman did not translate it. This title means the King of Kings, the Shadow of Him to whom Praise belongs. This title expresses the idea of the Divine right of Kings over subjects owing them natural allegiance; and it imposes very great responsibilities on the Sovereign receiving the title. These responsibilities consist in many things outside the range of duties of constitutional Sovereigns, and are exemplified by another title of Eastern kings, Alem Penah, asylum of the world; such are receiving petitions, inquiring into them, acting upon them and occasionally reversing the acts of Ministers and officials. And in view of this measure, I should have been glad to have heard that Her Majesty's Ministers had thought of advising the issue of an amnesty for the events of 1857, on the occasion of the recent visit of His Royal Highness to India, the good effects of which visit it would be impossible to overrate. There must be few left to profit by it, but its influence would have been felt in the obliteration of the memories of that struggle. If this title, or any English equivalent such as Empress be assumed by the Queen, it will cause very great disappointment, heart-burning, and discontent, if the Princes of India do not receive at the same time the right of appeal to Her Majesty's Privy Council, unfettered by, and without the previous sanction of the Secretary of State. In the East they do not say as we do, "the King can do no wrong," but they say, "the King will do no wrong," for it is assumed that the king is beneficent, and will always do justice when petitioned, and that wrong is done by his Ministers and officials. And this is often true as concerns the Princes of India, for the Sovereign of England can only have friendly feelings towards them, whilst personal feelings or pique might easily arise between a Secretary of State and an Indian Prince, when correspondence has passed between the Prince and the Resident, who perhaps may have repeated words and arguments that have come from the Indian office, and which the Secretary of State may not like to see controverted. I have endeavoured to show the arguments against this Bill, which are founded on reason, but there are other objections to it which should not be lost sight of, though they are founded only on sentiment, or even on prejudice. One of these is, that throughout the course of history such assumption of titles from foreign possessions has been ill-omened and ephemeral. Camoens inveighed against similar pretentions on the part of the Portuguese, and said—

> "Court you a peril dark, an unknown fate,
> That fame may flatter and exalt your pride,
> Proclaiming you with liberal pomp of words,
> Of Ethiop, Ind, Arabia, Persia, Lords?"

But a few years after Camoens had died, the King and all the first men of Portugal were cut off with their army in Marocco. Portugal then fell into forty years captivity under Spain, and the Portuguese Asiatic Empire became a thing of the past. It will be remembered also that Julius Cæsar, amongst other Imperial projects, had contemplated transferring the seat of government from Rome to Troy; and that this project was revived in the time of Augustus; but the Ministers of Augustus withdrew it before the discontent of the people, and the warnings of Horace, who, in one of his odes pointed out to the Prime Minister Mæcenas that the just man, tenacious of his design, yielded neither to the clamour of the mob, nor to the frowns of a tyrant; but that reason dictated the withdrawal of a project which was ill-omened, and contrary to the compact with Juno, or to usage and tradition. It will be remembered how much excitement and panic was produced by the Pope having conferred some ecclesiastical titles on the Catholic Bishops in this country, and though nobody was injured by them, and their status not materially altered, it was not till long after that popular feeling on that matter subsided. In this case popular feeling will be more moved, because the interest in the Royal Family is general, and everything relating to it is prominently brought before the people; whilst the use of the ecclesiastical titles was limited to certain localities, and except during the first agitation not brought under the notice of the mass of the people of this country. It is therefore undesirable for the Government to press this measure at the risk of irritating the public feeling by the too probable use in this country of a title to which it is averse; and by showing the people of England that their feelings are to be sacrificed to the imaginary wishes of the people of India, as though this country were an appendage of India, and apparently in order to enable the Hindoos of young Bengal to say—

> "Cœlo tonantem credidimus Jovem
> Regnare, præsens Divus habebitur
> Augustus, adjectis Britannis Imperio."

If this Bill passes, it is probable that the country will soon possess what the noble Marquess the Secretary for India has described to your Lordships as his *beau ideal* of the Government of England—namely, a Liberal Government with a strong Conservative Opposition.

EARL GRANVILLE: The noble Duke who opened this debate to night (the Duke of Richmond) thought it judicious in proposing a measure of this importance, and which, he said, it was desirable should be passed with unanimity, to throw out the imputation that those who opposed it were actuated merely by Party spirit. That observation made me feel that I ought to rise late in the debate in order not to give, from my official position in this House, a confirmation to that observation; and I must say I am greatly surprised at what has passed since that observation was made. For what has occurred? Why, since that, three Peers of this House, standing as high in their character for independence as in their great position—I mean Earl Grey, the noble Duke behind me (the Duke of Somerset), and the late Governor General, Lord Lawrence—have spoken. The noble Duke took a strong view of the measure, and put a particular question to the noble and learned Lord (the Lord Chancellor) on which certainly we ought to be satisfied before we go to a second reading. Yet, notwithstanding these Peers have spoken, not one Member of the Government—not one on that side of the House—has thought it desirable to attempt an answer to the speeches which have been made. I really hardly remember tactics similar to those of tonight having been resorted to by the Government of Her Majesty when a Bill of so much importance has been before the House. I presume the reason is, they thought of this Bill the least said the better. My Lords, I am sure it was not the intention of Her Majesty's Government, but I will say this—that, either with regard to Party spirit or excitement in the country, the course they have pursued has been exactly that most calculated to afford cause for the excitement which has taken place. A system has been in use for nearly 36 years, which has been attended with good results. I am not sure that I should not have felt some embarrassment in alluding to it if the matter had not been publicly written in a book which will always command great interest and attention. In *The Early Years of the Prince Consort*, written by General Grey, whom we all know as Private Secretary to the Prince Consort, and afterwards to the Queen, at page 276, the writer gives an account of some remarkable Parliamentary passages connected with the dignity of the Queen and her Family. He describes in 1840 Sir Robert Peel and the Conservative Party supporting Colonel Sibthorpe's Motion to reduce the annual grant to be made to the Prince Consort by two-fifths—that is to say by £20,000—and upon that he remarks—

> "It is probable that the mortification which the refusal of the proposed vote was calculated to occasion the Queen might have been avoided by proper communication beforehand between Lord Melbourne and the leaders of the Opposition, such as took place in after years."

A few pages further on he describes an incident when the question of the Prince's precedency was introduced by Lord Melbourne, and abandoned, owing to the opposition of the Duke of Wellington; afterwards the latter gave way, and a settlement was arrived at, but in a different way from that first proposed, and with the consent of both parties in the State. I believe during the 36 years mentioned this has been the habitual course which has been adopted by Her Majesty's Government. I can answer for it on two different occasions. On one Mr. Gladstone communicated with Mr. Disraeli, and on another occasion I communicated with the noble and learned Lord now on the Woolsack in regard to a question concerning which I thought there might be some contest, and I am bound to say that if the noble and learned Lord had been one of my own Colleagues he could not have given me more cordially his opinion and his advice. The system has this advantage—Either acquiescence is expressed, which smooths the passage of the measure through the House, or a modification is agreed to, or if a refusal is made, it leaves it open to the Government to consider whether, in face of strong opposition, it is *tanti* to introduce the question at all. I think it would be an inconvenient and awkward course if the representatives of the two Parties were to communicate on questions of general political interest. I remember an anecdote told me by Earl Russell, who, having written a letter to Sir Robert Peel asking him, I think, what course he intended to take in reference to the nomination to the Speakership, got a curt answer from Sir Robert

Peel. Lord John Russell sent the letter to Lord Melbourne without observation, and Lord Melborne returned it with the note—"Peel is a very bad horse to go up to in stable." I do not complain of the course which has now been adopted; but I think that as much advantage may occasionally be derived from the Government communicating with the Opposition in respect to the introduction of a particular measure affecting the comfort or dignity of the Sovereign, it is a pity that that course was not adopted in the present instance, either before the Queen's Speech, or before the introduction of the Bill in Parliament. I am unwilling to refer to what has passed in "another place" on this subject, but I must say the course which the Government have there pursued has not been one calculated to recommend itself to Parliament or to the country. On the first reading of the Bill a statement was made from which the House of Commons concluded that only a half confidence was placed in them; and when the question was again referred to the same reticence was observed. It was not till the second reading that the Prime Minister informed the House and the country what the real pith of the Bill was. I hadly think it necessary to allude to this except to say that a difficult duty has been imposed on the noble and learned Lord on the Woolsack—namely, that of explaining how it was constitutional to give information respecting the Bill on the second reading and unconstitutional to give it on the first. If it be alleged it was owing to the permission of the Sovereign not having been obtained till the second reading, I can only say it shows a most wonderful want of care and caution not to have obtained Her Majesty's permission in the first instance. The Prime Minister stated that there was not the slightest intention to substitute this new title of Empress for the supreme and superior title of Queen, and that it was to be localized in India. To the discussion which occurred I need not here allude. On the third reading the Prime Minister made a very startling statement. He ended his speech by saying that Russia having made great advances in Central Asia was now within a few days' journey of our Indian frontier. Now I deny that they have reached within a few days' journey of our possessions in India; and I also deny that, however creditable may be the feats performed by them, that the Russian armies have effected there anything superior to what the English have accomplished in India. I admit, however, that great advances have been made in India by Russia, and I am the last man who can say that some of those advances have not been made after very solemn assurances and specious explanations to the contrary. But the Prime Minister went on to say that he was not of the school of alarmists with regard to the advances of Russia, and that he thought there was ample room in Asia for the destinies of that great country and our own. Well, if that is so, why should anything be done? But if there was a danger, it appears to me there would be two courses to be pursued—either to remain perfectly quiescent and rely on the strength of our position in India and the formidable barrier between us, or—what I believe would be wrong, unwise, impolitic, and contrary to sound Indian opinion—make a counter advance of some sort or another. But the only suggestion the Prime Minister made was that we should give the Queen an imitation of the title of the Russian Emperor, and by that means check him in his advance. I hardly know how to speak of this matter. On the first night of the Address, the only persons who alluded to this subject in this House, except the Mover and Seconder of the Address, were, I believe, myself and Lord Derby who followed. With regard to myself, I quoted from the Speech the sentence referring to the Indian title, and said I inferred from it that Her Majesty thought it desirable to move in the matter from considerations of the effect of such a movement on the Native population in connection with the visit of the Prince of Wales to India. Knowing there had been some informal mooting of the question—and that it had been to some extent favoured by Lord Derby's Government—I guessed what the Bill was to be, and I certainly expected that when it was brought before Parliament we should be overwhelmed with documentary and other evidence in proof of the yearnings of India for the change. I believe I then went on to say—what I do not find reported completely in the daily papers or in the edition of *Hansard* not revised by me—that in regard to the dignity of Her Majesty herself there was, in my opinion, no greater title on earth—none which appealed more forcibly to the imagination — than that which our most gracious Queen already possessed. Well, what was the answer of Lord Derby, one of whose great merits, I may observe in passing, is clearness and precision of language? He said—

> "The proposed addition to the style and titles of the Sovereign will mark more clearly the relation which she holds to the Native Princes of India, but it raises no controverted question—it makes no change in the relations between governors and governed—it involves no doubtful point of constitutional law—and it is not, therefore, a proposal likely to lead to difference of opinion."—[3 *Hansard*, ccxxvii. 34.]

I have no doubt that was an accurate description of the intentions of the Government at the time. Well, unless Lord Derby meant designedly to deceive this House—a supposition which I put out of the question—how is it possible to believe that when he made that statement he was aware of the grave, important, and high political considerations which we were told on the occasion of the third reading were the real objects of the Bill. I was somewhat curious to see how the noble Duke opposite (the Duke of Richmond) would deal with the Prime Minister's main argument; but he managed, with the utmost judgment, to make no reference to it whatever; so I think I am justified in treating that argument of the Prime Minister's as a rhetorical after-thought—not a very happy one, I must say, but one which it is not necessary in this House to discuss seriously. I therefore pass to the reasons which have been given by the noble Duke (the Duke of Richmond). A great deal of his speech did not really touch on the question of the title at all but was rather addressed to the opinion of India; and surely in reference to Lord Palmerston in regard to the transference of the rule of the old East India Company to the Queen being acceptable to the people of India—that is no argument in favour of changing the title of Queen into that of Empress? The noble Duke gave another rather odd reason for adopting the new title. He said there were considerations which rendered the step inadvisable at the time of the transfer; but that during the 18 years which had elapsed since then the Natives had become accustomed to the mild and beneficent Government of the Queen, which had culminated in the glorious reception given to the Prince of Wales, and the objections to the adoption of the title no longer existed. My Lords, it appears to me a most extraordinary argument to adopt that because a system has worked well up to this moment, and because you have the strongest proof of its success in the reception given to the Prince of Wales, you should choose this particular moment for making a change. It is argued that the title of Queen is objectionable because it may imply to the Native Princes some unusual interference with the internal administration of their large and rich dominions, and that, on the other hand, the title of Empress is advantageous because it identifies that supreme and paramount power which our Sovereign undoubtedly possesses in India, but which has not up to this moment been formally recognized. I have extracts here from various statutes of the times of Henry VIII., Queen Mary, Queen Elizabeth, and James I., and they all have the same object—namely, to magnify the dignity of the title of King or Queen of England. Word after word and page after page go in precisely the same way to magnify that title, and to oppose it to the pretensions of the Pope on the one hand, and the pretensions of the Continental Emperors on the other. The same language is held still later than that—namely, in the reigns of William III., Queen Anne, and George III., and culminating with the Act of Union. That unbroken series of precedents has been continued down to this day. This country never has consented to allow that any crowned Head in the world, and certainly not in Europe, has any precedence or superiority over the Anglo-Saxon title of King or Queen of England. And during the present century, when there was a question raised at the Congress of Vienna as to precedence, Lord Castlereagh in the strongest way upheld the dignity of the British Crown, and the claim to precedence over it was given up. During my own short tenure of the Foreign Office, I myself had the direct order of Her Majesty to assert, and did successfully assert, in two cases, both in Vienna and at St. Petersburg, that the son of no other Sovereign could take precedence over the son of the Queen of England. I am afraid that what you are now going to do will only weaken our position in this matter. It is all very well to say here in debate that Queen will still remain the superior title; but foreigners will say—"When you wish to take a stronger position in that Empire beyond the seas, and to have the greatest dignity you possibly can have, you come to this title of Empress, and are not contented with the more simple and plainer title of Queen." As to the title of Queen not being sufficient to represent that sort of supremacy which you wish to show in India, I believe that the precedents in this country and in Europe are the other way. Take the case of the Kings of France. I imagine that the Dukes of Normandy, of Burgundy, and of Brittany, were Princes who exercised as absolute a sway in their own dominions as any of our great feudatory Princes in India. The Kings of France did sometimes interfere by force, not by law; but I believe that in point of law at that time the Kings of France did not interfere with the internal dominion and rule of those countries. Nevertheless, when it came to a question of supremacy, our King John, in his quality of a feudatory of Philip II., the King of France, was summoned to appear before that Monarch; and when John refused to go, the King of France solemnly sentenced him, by the concurrence of his Peers, to be a parricide and a felon. I do not think a French King could have gone further than that, even if he had borne the title of Emperor. Then, again, take William the Conqueror and his feudatories—such as Chester and Durham. They exercised in many instances great authority in their own dominions, regulating all sorts of internal affairs, absolutely making laws, raising armies, and making war upon their neighbours—all, as far as I know, without reference to the supreme authority. And yet, do you imagine that a man like William the Conqueror would have been satisfied with that state of things, if he had thought that an Emperor's title would have given him greater power over his vassals than that of King? I believe that the assumed advantage of the title of Emperor over the English title of King is entirely fallacious. With regard to the feeling of the Natives of India on the subject, I am far from giving any opinion. I say merely, that as to that we have absolutely no evidence. The Prime Minister asserted that not only the Princes but millions of the inhabitants of India were anxiously waiting for the assumption of this title. The Secretary of State for India, who probably knows more about that country than the Prime Minister, tells us that which I believe is true—namely, that the Native population is "politically dumb." A great deal has been made of the letter of Lord Northbrook which has been quoted in the other House, and also by the noble Duke. In fact, it has been used as the great *cheval de bataille;* but it has been rather knocked on the head by its having been shown that it was written in the Native language, and simply expressed the Native idea of the name of the Sovereign. Again, it has been said by the noble Duke that Lord Palmerston insisted upon the Shah of Persia giving the highest Persian title to Her Majesty. It is said he insisted on her being called Empress; but he did nothing of the kind. Lord Palmerston said that in Europe the Queen's title was as high as any other title in the world, and therefore that in the Persian language it should not be translated by any other than the highest title the Persian language expressed. I think, then, this is a case in which, there being no evidence whatever in regard to the feeling in India, the presumption is rather against than in favour of the title of Empress. Oriental nations might be politically dumb, but they were also apt to be exceedingly suspicious, and nothing excited their suspicion more than some new, and to them not very intelligible, action on the part of those who are stronger than themselves. I trust this will not be so in this case; but it is natural to suppose that some such alarm and anxiety of this kind should be felt. In regard to India this title may produce no effect at all; it may produce a good effect; it is impossible to say it will not produce a bad effect—but I, for one, refuse to be a prophet of evil. The noble Duke referred to the assurance given by the Prime Minister as to the limitation of this new title to India. A question hitherto left unanswered in this debate, and which deserves the attention of the noble and learned Lord on the Woolsack, is—what will be the effect of this Bill, and whether, if it is acted upon, it will be possible to localize this title? For myself, I must say I do not like this system of double titles. I object to our Queen, above all persons in the world, having something like an *alias* in her title. The effect of this Bill, if acted upon, as I understand it—and I find that some learned persons agree with me—will be that the Queen by Proclamation will assume a new title, and that that title being thus created must necessarily find its place in all State documents whether relating to India, the Colonies, foreign countries, and many other matters. I should wish to know from the noble and learned Lord on the Woolsack whether that is so? I have in my hand a list—not of all, but of some of the public documents—in which it would seem that it will be necessary that the title of Empress should appear. The list includes all writs of summons to Peers, all writs for elections of Members of the House of Commons, all writs or patents for the erection of dignities, the creation of Peers, Baronets, or Knights by patent; all patents conferring places under the Crown, including the First Lord of the Treasury, the Commander-in-Chief, the First Lord of the Admiralty, the Law Officers of the Crown, and others. It includes also proclamations with reference to the meeting and the prorogation of Parliament, patents, charters, commissions of oyer and terminer, and commissions of gaol delivery. The title of Her Majesty is used also in the statutes of every Session of Parliament, in every commission of an officer in the Army, and in the commission of a Justice of the Peace. Now, if I am right in my construction of the Bill before us—if necessarily and legally this new title of Empress will appear in documents which relate to both Houses of Parliament, which relate to the creation of every sort of dignity, which relate not only to the highest Courts of Justice, but to every Petty Session in the country, which relate to the Army, and to all sorts of questions which may arise in municipal boroughs, for instance, and which relate to inventions by which this new title will find its way to all our manufacturing towns—I ask, if this new title is to appear in official declarations in all these places, how is it possible to exclude the use of this new title from the conversational language of the people of this country? The thing has already been done. The head of the chief municipal body of this great Kingdom has already used the name of Empress. One of our most important naval towns by an illumination welcomed the new title; and as the Church is always loyal, a clergyman not only toasted the Queen, but said the new title had this recommendation, that it was a second handle to the Queen's name. Now, that is perfectly true, and what I do object to is that there should be a second handle to Her Majesty's name. We may call ourselves Conservatives, Liberals, or Radicals; but I believe there is hardly a man who has received an ordinary English education who has not a great regard for the traditions which are connected with the glorious past history of this country. Those traditions are strong with regard to the regal title borne by the Sovereigns of this country;—and I am sure your Lordships will feel that the public sentiment on that subject is immensely strengthened by the fact that, most fortunately, during the last 40 years this country has been governed more constitutionally than in any previous period. I have been asked this day—certainly not for the first time—how it is possible that I, considering my former relations to the Court, can take any part with regard to a Bill whose object is to increase the dignity of the Sovereign. It is now nearly 40 years since I first entered Her Majesty's service, and since the time that I first took part in public affairs I cannot say how much I feel the political confidence given me by Her Majesty. I have received from Her Majesty marks of personal kindness which have loaded me with obligations which I cannot discharge to the end of my life. Though I think Party feeling has some advantages, no Party feeling could induce me to do anything that would in the slightest degree impair the dignity and position of our Queen. It was not unnatural when this subject was first raised that this proposal should have been considered as one not only of a simple but also of a beneficial character; but the light which discussion has thrown upon it, and I will also say the excitement which is felt on the subject, make it impossible for me to believe that we are not going to do something which will tarnish and damage the grand old secular title of the Queen, and that by damaging that title we may in a slight degree impair the position of Her Majesty herself. I should feel utterly unworthy of the past favours of the Sovereign, and utterly unworthy of the position which I have been allowed to hold for several years in this House, if I, under that honest and sincere conviction, remained neutral in the discussion which has taken place. With this feeling it may be said that I ought to have spoken against the second reading of this Bill. I do not think so. This Bill comes—which I think always ought to have weight with your Lordships—not only recommended by the Minister of the Crown, and with the full sanction of the Sovereign, but it has been carried by very large majorities through the House of Commons. My noble Friend (the Earl of Shaftesbury), without direct or indirect communication either with me or, so far as I know, with my political friends, has given Notice of a Resolution which is to come on previous to the Committee on this Bill; and as that Resolution appears to me to be most respectful to the Queen, and not in the slightest degree to interfere with her Prerogatives, I certainly will not vote against the second reading of this Bill, though I shall most earnestly and cordially support the Resolution when it comes before us.

THE MARQUESS OF SALISBURY: My Lords, the noble Earl who has just sat down (Earl Granville) said that no Member of Her Majesty's Government has risen to support the second reading of the Bill. I think the noble Earl takes an exaggerated view of the difficulties which encompass Her Majesty's Government. The Leader of the House had brought forward the Motion in an ample speech; no Member from the front Opposition Bench had spoken, and —what was more important—the debate had been carried on very satisfactorily by noble Lords who sit on the opposite side of the House. We look on this as an Indian question, and it was with great pleasure we heard two noble Lords of great authority on Indian matters who gave opinions which are of special value, because they were stamped with impartiality, and were in opposition to the views of those with whom they usually act. But if any other reason was wanted to induce us to sit still during the debate it was the utter absence of anything to answer. I have been unable to hear one serious objection to the title of Empress. I have heard a great deal of other titles which it was said might do as well. I have heard of the advantage which the title of Empress might be supposed to bring with it; but I have heard very little in the shape of argument against the adoption of that title. We have proposed to proceed on Indian grounds; and a late Governor General of India (Lord Lawrence) has told us that the fittest opportunity has been taken for making a change, if change there was to be; and by his admission the change will be received not only without dissatisfaction, but with pleasure, to use his own words, by the Princes and the people of India. And another noble Lord who has been Governor of Madras (Lord Napier and Ettrick) told us in the course of his speech that the title of Empress describes better than any other title that can come into competition with it our rule in India—in short, that it will designate the nature of the relations which Her Majesty holds to the Princes and the People of India. We have to designate not only one who rules, but one who rules over rulers, and there is no other title that will express our relations to India so well as that of Empress. We have reason to know that the title was not unknown to the people of India; that it would not be received as anything strange, but as already familiar to their minds. Turning to the subject of the medal which the noble Duke (the Duke of Somerset) produced this evening, I understood the noble Earl opposite to say that the Governor General had spoken of it as something which only indicated the private opinions of Colonel Merewether. The noble Earl, however, entirely failed to see the force of the testimony afforded by that medal. In the first place, the inscription was not put upon the medal by Colonel Merewether, but by a large committee, consisting of English and Native merchants, as the managers of an Exhibition to which articles were sent by exhibitors, from the North to the South of India, and at which, therefore, I presume a large amount of Native opinion was represented. Of course, we do not put forward the placing of that inscription on the medal as an act of State; but we do put it forward as an indication of spontaneous and popular feeling on this subject. But, it has been admitted by every Indian authority that this change in Her Majesty's title will be acceptable to the people of India. I ask, what authority is there to the contrary? Why, therefore, should we not carry into effect that which we believe will be acceptable to the people of India, and confirm them in their affection to our rule? The noble Earl opposite (Earl Granville) began by dwelling in plaintive tones upon the fact that Her Majesty's Government had not, previously to bringing in this Bill, conferred with the Leaders of the Opposition on the subject, and he regretted it, because, he said, that it was a part of the proceeding calculated more than any other to prevent that unanimity which we have professed to be desirable. How are we to read that complaint?

Earl GRANVILLE: I did not say what the noble Marquess attributes to me.

The Marquess of SALISBURY: If the noble Earl will refer to his speech to-morrow he will find that he used language to this effect—that we had done everything possible in the way of bringing in this Bill to prevent unanimity, and then the first proof of our having done so that he offers is that we had not conferred with the Opposition before bringing in the measure. I am, then, to assume that these patriotic, and I may say these ferocious, onslaughts upon the Bill in the House of Commons are due to the wounded feelings of the Opposition because we have not consulted them upon the subject. I venture to hope—indeed, I confidently believe—that the noble Earl takes too gloomy a view of the patriotism of our public men. Then the noble Earl went on to the second portion of his speech—which, without in any way desiring to interfere with the discretion of the Leader of the Liberal Party in this House, I must characterize as most irregular, because the noble Earl discussed—not a single observation made or a single doctrine put forward in "another place"—but the whole management of this Bill in the House of Commons from the beginning to the end, and repeated the various arguments used by the different speakers there. That course is not only exceedingly irregular, but it is also exceedingly inconvenient; because, although he may have learnt by heart all the speeches uttered in the House of Commons in the course of the debate, we have not done so. I think that on further consideration the noble Earl will feel that he has laid down a bad precedent for the conduct of our future debates in this House. I must also say that in taking that course the noble Earl has by implication cast a very undeserved slight upon a very meritorious set of men—the Members of that House who form Her Majesty's Opposition. I think that Mr. Gladstone and Mr. Lowe are not utterly insignificant as debaters, and that they are quite as competent to review and to answer any arguments which may be put forward by Mr. Disraeli or by Sir Stafford Northcote as the noble Earl himself is. Those Gentlemen, moreover, in answering those arguments, would have the great advantage of having heard the speeches to which they were replying, and they would review them in the presence of men who were there to defend the words which they had used. But this argument put forward by the noble Earl is hardly one in condemnation of the title of "Empress." Well, then the noble Earl proceeded to deal with the historical part of the subject, and he pointed to William the Conqueror and to the Kings of France, who, he said, had feudatories who were as powerful as the Native Princes of India, and that fact, he says, proves to his satisfaction that the title of King is quite consistent with the claim of being a Paramount Power. I am surprised that any one possessing the historical knowledge of the noble Earl should compare for one instant, in their origin and nature, the relation of ancient feudal Sovereigns with their feudatories, and the Native Princes of India over whom the Queen is paramount. The Native Princes of India were formerly independent, and it was only by the action of political events that they became dependent upon us. The feudatories of the Crowns of France and of England, on the contrary, were in their inception absolutely dependent, and it was only by a long course of usage and by the act of their Suzerain that they became in any degree independent of him. The two cases, therefore, were entirely contrary to each other, the one taking its rise in feudal dependence and the other rising out of absolute independence. But, even if you succeed in showing that the title of King will express the position of a ruler over rulers, how will that prove that the title of Empress should not be adopted with regard to India? The noble Earl who has left the House (Earl Grey) addressed himself to that question, and tried to show that the title of Empress was unpopular in England. I will not deal with the observation of the noble Earl who has just sat down with regard to the illuminated transparency at Portsmouth in which the Prince of Wales is termed "Our future Emperor," because that rather appears to be a testimony in favour of the popularity of the title than the reverse. The noble Earl (Earl Grey) was very much more communicative on the subject than the noble Earl opposite, and he let us know what the nature of the unpopularity of the title of Empress was. He said—"If you go anywhere into society, nine men out of every ten will tell you that they don't like it." That is the bottom of it—it is a story of Society—it is an effervescence of the gossip of the Clubs. In no instance was opposition to the title of Empress shown by the country—either by Petitions presented to the House of Commons or by public meetings—when the Bill was passing through that House; neither was there any indication of popular opposition to it in the Press. But "Society" possibly has a feeling now upon the subject. Society is a very estimable body, but it is subject to one malady—that of want of excitement. The opposition to this measure is rather a source of excitement to Society in a spring-time, which is rather dull; but, when other objects of excitement arise, this feeling of opposition to this title will take its departure altogether. When this measure was first suggested there was no feeling of opposition—no Petitions were presented to Parliament. The noble Earl opposite appeals to the Petitions which he has behind him; but as I was entering the House to-night a letter was put into my hands by a gentleman whom I never heard of before—a clergyman of Blackpool. It was a Petition in favour of the title of Empress from a few householders whose signatures had been obtained in four hours. That does not look like a feeling of serious hostility—at all events at Blackpool. My impression is that the feeling out-of-doors is, in reality, got up by the action of certain clubs. No doubt, by the action of Reform Societies, petitions have been sent in against it—no doubt public meetings adverse to it will be got up at the instance of the Reform Club, whose orders will be obeyed with the discipline which has always been the characteristic of the Liberal Party. But of real spontaneous opposition to this proposal there is absolutely none. Materials for speeches will doubtless be manufactured when the chieftains of the Party have shouted themselves hoarse, moved by circulars issued from political clubs; but at present we are without them. Let noble Lords compare the public manifestations on this subject with those on any other question in which the public takes an interest—why, there has not been so much petitioning against this Bill as there has been on the subject of the vivisection of rabbits. In the absence of external indications of opinion on this question we have one body which is supposed to represent in some degree the opinions of the people. I do not wish to exalt the position of the House of Commons too high; but when we find that the normal majority of the Government was doubled on the division on the second reading of the Bill, we may be certain that no pressure has been placed upon Members of that House by their constituents. It is true that Lord Grey made a suggestion which I have heard made before with the utmost confidence — namely, that many of those who voted in that majority of 105 did so with manifest reluctance. I should like to have some proof of that. That statement, although made, I believe, with the utmost sincerity, is, in my opinion, utterly false—there is no proof that the majority voted with less cheerfulness than the minority. If it be true that there has been no considerable or noticeable petitioning against the Bill, and that the popular branch of the Legislature has voted the measure by twice the ordinary majority which the First Minister of the Crown can command, I must wait for some more forcible arguments than I have heard from the other side, before I can assume, as we are so confidently told, that the title of Empress of India is objectionable to the English people. I do not now know whether this is exactly the most convenient period for discussing this question; because as we are all to vote for the second reading with unanimity, it hardly seems desirable to enter into a controversy upon that on which we are agreed; but as we are to have other and more stormy debates, may I express a hope that the debate of this evening, if it has been a preparation for those that are to come, may not in all things become a precedent? On the other side the debate was opened with a speech so full of flowers of oratory, that it may be called a perfect garden. We were told in the first instance that Empress was a title which could indicate nothing else but military violence; that it was recommended by sycophants and parasites; that Her Majesty's Government had been induced to bring it forward by the flatteries of the Court; that it was a yoke which England repudiated; that the veil had been dragged from the pretext of the Bill; that India was a mere pretence, and that the true object of the Bill was to obtain for the Royal Family precedence in the Courts of Europe. It is against the Rules of both Houses of Parliament that the opinions of the Royal Family should be brought forward to influence Members in the course of debate. That Rule, if it has been observed, should have a corresponding rule to the effect that the Sovereign and Royal Family should not be insulted in the course of our debates.

THE DUKE OF SOMERSET: I did not bring in the name of the Sovereign. My observations were directed against the Prime Minister, who had introduced the name of Her Majesty in the other House of Parliament, and were perfectly in Order in a Parliamentary sense.

THE MARQUESS OF SALISBURY: That is all very well; but the noble Duke has not explained the observation he made on the subject of the Royal Family obtaining precedence in the Courts of Europe—an observation which I regard as being altogether at variance with the usages of Parliament. I will not, however, further pursue an unpleasant subject. I will only express a hope, as we take the full, absolute, and exclusive responsibility of this Bill, and do not attempt or dream for a moment of quoting the authority or the wishes of the Sovereign in support of what we do, that, on the other hand, our adversaries, however much they oppose us, will join us in believing that the Queen has throughout been guided only by those Constitutional principles which have been dear to her throughout her reign, and that she has at heart but this one object—to promote the happiness of, and to endear her dominion to, the English people over whom she has so happily reigned for so long a period.

THE EARL OF KIMBERLEY said, he was quite certain that there was no noble Lord on that side—or, indeed, in the House of Lords—who would not entirely agree with the sentiments which the noble Marquess (the Marquess of Salisbury) had expressed at the conclusion of his speech. They all recognized that in this as in all other matters they had to look only to the Ministers of the Crown acting on their responsibility; but they had a right to hold the Ministers of the Crown responsible for the advice they gave upon all subjects, but more especially upon any matter which concerned the dignity of the Sovereign, because they had the dignity of the Sovereign especially in their care. The noble Marquess in the opening sentences of his speech and for some time later appeared to treat the whole question in a light manner. He said, for instance, that he did not think this question had excited as much interest out-of-doors as the vivisection of rabbits. He (the Earl of Kimberley) protested against that tone being adopted when they were discussing a matter which affected the dignity of the Crown——

THE MARQUESS OF SALISBURY: I said there had not been so many Petitions on this subject as there had been respecting the vivisection of rabbits.

THE EARL OF KIMBERLEY repeated that the noble Marquess spoke of the one subject not having excited as much interest as the other. He did not suppose the noble Marquess meant the slightest disrespect to the Crown; but he (the Earl of Kimberley) contended that when any matter was discussed which concerned the dignity of the Crown it ought not to be treated in a light or trivial manner. They might ask, "What's in a name?" but this question of a name might be of considerable importance. He did not wish to exaggerate it, and he thought it quite possible to exaggerate the importance of the question of a name; but, at the same time, he contended that it had a certain importance and weight, and all that could be said either for or against deserved to be considered in a serious spirit. He hoped he might be forgiven for referring to what had taken place in the other House. He was rather astonished to hear the doctrine which the noble Marquess had laid down, for noble Lords opposite when they sat on that (the Opposition) side of the House not unfrequently referred to the declarations of Ministers in the other House; and although he did not defend the discussion of the debates of the other House, yet when declarations were made by Ministers of the Crown, and when noble Lords wished to argue that they were not the same as those made by Ministers in that House, he claimed the right to refer to and discuss them. He heard the speech of the noble Marquess in one respect with sincere satisfaction, in that he in no way reproduced that extraordinary and dangerous argument in favour of this Bill, that it was required because the Russians had made advances in Asiatic territory. That argument had this singular misfortune, that it was at once mischievous and trivial. It had been said that the people of India were already more or less familiar with the title of Emperor, because the Russians had approached within a certain distance of our territory. But the title of the Sovereign of Russia was Czar of Russia. It was supposed that he had taken the title of Emperor but that was not correct. He kept the old title of Czar, by which he was known throughout Russia, and which was impressed upon the Russian coinage; but, fearing that he might suffer some discourtesy in the Courts of Europe, he claimed that it should be translated by the highest title in Western languages, which was "Emperor." In the same manner the title of Queen should be translated by the highest equivalent term in India. The argument against the Bill was that it was unnecessary. He did not see why the ancient title of Queen should be departed from or rejected. He thought the most desirable course would be to introduce the name of India in the titles of the Queen, and the title might then be translated into the most appropriate term in the Hindoo language. In a matter so important as this, where so great and ancient a title was concerned as that of the Queen of this country, it seemed to him most undesirable, if they could help it, to interfere with old traditions. He did not think that any title should be proposed which would awake in any portion of Her Majesty's subjects a feeling of dislike. The reason why the title of "Emperor" was so objectionable to English ears was that it conveyed to the minds of the English people something connected with absolute rule—something different from a constitutional Sovereign—and it was impossible to do away with a feeling of that kind. He should be very glad indeed if noble Lords opposite would accept the advice tendered to them from his side of the House—the change would then be received with universal consent, and divested of all Party contention. Above all, it was desirable that they should divest themselves of the idea that those around him approached the question in anything like a Party spirit, or that it gave them any pleasure to oppose the Bill. On the contrary, nothing would give them greater pleasure than that there should be no conflict upon a matter of this kind, on which it was most disagreeable to have to express a difference of opinion, and which it would have been far more satisfactory to every right-minded man to have settled with unanimity.

THE LORD CHANCELLOR said, he did not rise to continue this conversation; and, indeed, while there was no issue before the House but the second reading of the Bill, to which no opposition had been offered, any argument must be, to a certain extent, pointless at this stage; but he rose to answer a Question which, he understood, had been put to him by the noble Duke (the Duke of Somerset) who spoke first from that side of the House—though he was not aware that he was putting it in the form of a Question. He must apologize for that mistake, though, perhaps, he was led into it, because he was aware that in "another place" a very ample and complete declaration had been made. It had been stated elsewhere in the most distinct way that although the intention was that the advice offered to the Crown would be that the ordinary and general use of the Indian title should be confined to India, yet in England, wherever a legal or formal document had to be employed in which the full style and titles of the Crown had to be rehearsed, that style and those titles must be rehearsed at length as they might stand for the time being.

Motion *agreed to;* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Monday* next.

House adjourned at half-past Nine o'clock, till To-morrow, half-past Ten o'clock.

HOUSE OF COMMONS,

Thursday, 30*th March*, 1876.

MINUTES.] — Public Bills — *Ordered—First Reading* — Intoxicating Liquors (Licensing Law Amendment) (No. 2) * [116]; Market Juries (Ireland) * [117]; Roads and Bridges (Scotland)* [118]; Clerk of the Peace and of the Crown (Ireland) * [119].
Committee—Merchant Shipping [49]—R.P.
Committee—Report—Mutiny; Marine Mutiny*.
Withdrawn—Intoxicating Liquors (Licensing Law Amendment) * [56].

GERMANY—PRINCE BISMARCK AND COUNT ARNIM.—QUESTION.

Mr. SULLIVAN asked the Under Secretary of State for Foreign Affairs, Whether the attention of Her Majesty's Government has been called to certain statements in a Letter addressed by Prince Bismarck to the German Emperor, dated the 14th day of April 1873, published in the German official Gazette of the 25th day of January last, to the effect that when at one time there had been an intention of sending Count Arnim as Ambassador to this Country, the project was abandoned because, when the usual steps were taken to ascertain how the appointment would be received here, "the most violent protests" were put forward on the ground that Count Arnim was so unscrupulous in his departures from truth that "no one could believe a word he said;" and, whether there is, as far as Her Majesty's Government are concerned, any truth in the foregoing statement of Count Bismarck?

Mr. BOURKE: Although I have seen the letter published in the German *Gazette* from Prince Bismarck to the German Emperor, I cannot say that the attention of Her Majesty's Government has been directed to the letter, for there is no official correspondence on the subject in the Foreign Office. If there was any correspondence in 1873, before Her Majesty's Government came into office, it must necessarily have been of a private and exclusively confidential character, and Her Majesty's Government have no information whatever with regard to any such communications.

POOR LAW—OUT-DOOR RELIEF.

QUESTION.

Mr. DUNDAS asked the President of the Local Government Board, Whether he can state the number of unions and parishes in England and Wales in which out-door relief to able-bodied persons is not prohibited by order of the Local Government Board; the number of the unions and parishes in which able-bodied male persons, if relieved out of the workhouse, are not obliged to be set to work by the guardians; and the number of able-bodied persons who received out-door relief in England and Wales in the last year, for which Returns have been made up?

Mr. SALT: There are 116 unions and parishes in England and Wales in which out-door relief is not prohibited by an order of the Local Government Board, and in these cases out-door relief is administered in accordance with the regulations in the Out-door Relief Regulation Order of December, 1852. There is no instance in which able-bodied male paupers, if relieved out of the workhouse, are not obliged to be set to work by the Guardians; but both the General Order prohibiting out-door relief and the Relief Regulation Order contain provisions to meet exceptional cases. The actual number of able-bodied persons who received out-door relief during any year cannot be given; but a census of paupers is taken on the 1st of January and the 1st of July in each year, and the mean number of able-bodied paupers, including men and women and children under 16, in 1875, was 268,436, showing a decrease of 143,574 as compared with 1871. The mean number of adult out-door able-bodied paupers in 1875 was 89,918, as against 147,760 in 1871.

CRIMINAL LAW—PRISON DIET.

QUESTION.

Sir WILLIAM FRASER asked the Secretary of State for the Home Department, Whether he will cause to be laid upon the Table of this House a Copy of the Correspondence between the Lord Mayor, the Governor of Newgate, and the Chief Clerk of the Justice Room of the Mansion House, relating to the diet of three prisoners, Henry Hervé, Gabriel Hervé, and Nicolas Clause, fifteen times remanded and unconvicted of any crime?

Mr. ASSHETON CROSS: If the hon. Member moves for the Papers, I shall have no objection to lay them on the Table.

ELEMENTARY EDUCATION ACT, 1870—PUPIL TEACHERS.—QUESTION.

Mr. BRIGGS asked the Vice President of the Council, If it is true that the Curate in charge of Saint Andrews Livesey, Blackburn, first threatened and ultimately dismissed a pupil teacher from the national school of that parish for declining to give up his attendance at a Dissenting Sunday School, and refusing to attend the Church Sunday School; if a dismissal under such circumstances is not a violation of the spirit of the seventh section of "The Elementary Education Act, 1870;" and, whether he has any objection to lay any Correspondence which has taken place upon this case upon the Table?

Viscount SANDON: I must remind the hon. Gentleman that the Education Department cannot, under Article 72 of the Code, interfere between managers and pupil teachers, except with the consent of both parties, and has no means whatever of instituting a legal inquiry as to the truth of assertions and counter assertions. Beyond this the Department has always been advised that Section 7 of the Act of 1870 applies to scholars only, and not to pupil teachers. Pupil teachers are a part of the teaching staff of the school, may be chosen from outside the school, and their selection rests entirely with the managers, who may make such conditions as they choose. In voluntary schools it is constantly of necessity a part of their duty to take a share in the religious teaching of the children, and, to take supposed cases, it would be impossible, in a Roman Catholic school, virtually to oblige the managers to employ a pupil teacher who did not belong to their Church, and it would be equally impossible to force a Nonconformist or Church of England school to accept a Roman Catholic pupil teacher, as in neither case could the pupil teacher take a part in the religious instruction of the scholars. As, however, the hon. Member has inquired into this particular case, I may say that the letter containing the complaint which is mentioned in his Question was forwarded to the manager of the school, the curate of St. Andrew's Livesey, against whom the complaint was made. In reply, he said that what was stated was entirely without foundation, that he never asked the pupil teacher to go to Sunday school or church, and never used any threats on account of his not going; and to explain the reason of his discharge he quoted from the log-book of the school a series of entries which were made between July and November, most, if not all, of which were made before the date of the supposed threat. They stated that the pupil teacher was absent repeatedly without leave, at least for a period of three weeks; that he was reported by the master for smoking in school and neglecting his duty, for being rude and abusive to the children, and even cruel at times, to the injury of the school; and he ends his letter by saying that he was compelled to discharge him, or his schools would have been ruined. After what I have stated, I can hardly imagine that the hon. Gentleman would think it desirable to have the correspondence on this subject printed. I shall be happy, however, to show it him, and I will lay it on the Table of the House for printing, if he should then consider it worthy of being treated in this manner.

NAVAL CADET COLLEGE—MILFORD HAVEN.—QUESTION.

Mr. E. J. REED asked the First Lord of the Admiralty, If he will instruct the Committee which is to investigate the question of a site for the Naval Cadet College, to consider among other places the neighbourhood of Milford Haven, which appears to possess all the requirements previously laid down, together with the presence of a Royal

Dockyard and great facilities for boating?

Mr. HUNT, in reply, said, that under the instructions which had been given to the Committee it would be open for them to consider the eligibility of Milford Haven.

EXPLOSIVE SUBSTANCES ACT—RAILWAY COMPANIES' BYE-LAWS.

QUESTION.

Mr. M'LAGAN asked the Secretary of State for the Home Department, Whether the Railway Companies who have decided to carry explosives have submitted to the Board of Trade the bye-laws for regulating the traffic, as provided for by section 35 of the Explosive Substances Act; and, if so, whether it is his intention to insist that those Companies who do carry any explosives shall give equal facilities to all the explosives to which the Act refers, seeing that the refusal of most of the leading Railway Companies to carry some of the duly licensed blasting agents is inflicting an unnecessary injury upon the manufacturers of those explosives which the Railway Companies decline to carry, and upon the mining industries of the country, whose prosperity is largely dependent on the supply of suitable blasting agents; whether his attention has been called to the danger to which the travelling public are subjected by the surreptitious conveyance of explosives in passenger trains, in consequence of the obstacles now placed in the way of a properly regulated traffic by the leading Railway Companies; and, whether it is intended to give facilities for sea-going sailing vessels and steamers loaded or partially loaded with explosives passing through the Caledonian and Crinan Canals; and whether Government are prepared to grant equal facilities to all duly licensed explosives passing through those Canals?

Mr. ASSHETON CROSS, in reply, said, the railway companies had submitted the bye-laws referred to by the hon. Member, but they were not considered sufficient, and they had accordingly been returned for amendment. He was informed that they were now being re-drawn by the Railway Clearing House, on behalf of the railway companies generally, in the sense indicated by the Board of Trade. The Board of Trade had no power to insist on the carriage of all explosives, as the law left it to the railway companies to decide what explosives they would convey, provided they gave the same facilities to all parties alike. No complaints had been made to the Board of Trade, but complaints had been made to the Home Office, but they were entirely of a general character, and no specific complaint had been made against any individual or railway company. If a specific complaint were made, he should think it right to put the law in force both against the individual and against the company, if it could be shown that they knew that explosives were carried surreptitiously on their railway. The Board of Trade had no more power in the case of canals than they had in the case of railways to insist on the carriage of all explosives, but they would consider any suggestions on the subject, and a uniform code of bye-laws both for canals and railways was under their consideration.

LICENSING ACT, 1872—BURIAL CLUBS.

QUESTION.

Mr. H. B. SHERIDAN asked the Secretary of State for the Home Department, Whether his attention has been called to the following case reported in the "Brierly Hill Advertiser" of February 20th 1875, from which it appears that John Radford, landlord of the "Queen's Head" public-house, Quarry Bank, was charged with having on Sunday afternoon opened his house at prohibited hours. The police constable found fourteen men in the club room upstairs drinking ale. It was stated that they were all members of a club, and had just returned after carrying the body of a deceased member to the churchyard, and were having refreshment, and that the house was closed to every one else. The magistrate, Mr. Spooner, said if the men had come three miles from where they had slept the previous night they were entitled to refreshments, but not otherwise. They belonged to the neighbourhood, and the defendant was fined £5 and costs, but the licence was not to be endorsed. And, whether it is in contemplation to recommend an alteration in the Law in this respect?

Mr. ASSHETON CROSS: I am not aware that it is a part of my duty to read all the country newspapers of the 20th of February last. Still less is it my duty to remember all the paragraphs which appeared in the newspapers of that date. But, assuming that the paragraph referred to in the Question did appear, and that the facts referred to were true, it is not the intention of Her Majesty's Government to make any alteration of the law in that respect.

THE BURIAL SERVICE—CHURCH OF ENGLAND.—QUESTION.

MR. A. M'ARTHUR asked the Secretary of State for the Home Department, If his attention has been directed to a paragraph which appeared in several Leicester papers in which it is stated that at the interment of Mrs. Pratt who, according to the verdict of a coroner's jury, committed suicide while in a state of temporary insanity, the Rev. J. Brookes, Rector of Croft, Leicestershire, instead of reading the Burial Service read only a few verses of a psalm and then abruptly concluded with the benediction; if the statement is correct; and, if so, whether the action complained of is not illegal?

MR. ASSHETON CROSS: My attention has not been drawn to the paragraph which appeared in the Leicestershire papers, but I have received information from the rev. gentleman referred to from which it appears that the facts are accurately stated in the Question. I should have thought that the one thing which the clergyman might have done was to read the full service in such a case instead of a part of it. The verdict of the coroner's jury would have been, I should have thought, a sufficient justification for anybody to have read the full service, and I think it would have been more consonant with common sense and Christian charity.

THE ROYAL TITLES BILL—THE PROCLAMATION.—QUESTION.

MR. RYLANDS asked the First Lord of the Treasury, Whether, in the event of the Royal Titles Bill becoming law, it is his intention to advise Her Majesty to delay the issue of Her Royal Proclamation under the provisions of the Bill until after Her Majesty's return to her own Dominions?

MR. DISRAELI: In the event of the Royal Titles Bill becoming law, and the occasion arising of issuing a Royal Proclamation in consequence, Her Majesty's Ministers will give the Queen such advice as they think is consistent with Her Majesty's dignity and the welfare of her subjects.

ARMY MEDICAL SCHOOL.—QUESTION.

MR. O'LEARY asked the Secretary of State for War, Is it the intention of the Government, under the new scheme for the reorganization of the Army Medical Department, to fill up the Professorship in the Army Medical School; and, if so, is it intended to be thrown open to the profession at large as is now done in similar cases in the London and Queen's Universities?

MR. GATHORNE HARDY, in reply, said, the question of the Army Medical School would be submitted to the Senate under the new system for consideration, and until he had heard how they were disposed to report upon it, it was not proposed to fill up the Professorship now vacant.

THE QUEEN'S VISIT TO GERMANY.

QUESTIONS.

MR. ANDERSON asked the First Lord of the Treasury, If, when, in answer to a question asking what precedents there are for the absence of the Sovereign during the Session of Parliament, he referred to one and called it "the last," he meant to imply that there are others previous; if, in the only one referred to, that of 1872, it is not the fact that the Sovereign sailed from the country on Sunday the 24th of March, while Parliament adjourned for the Easter Recess on Tuesday the 26th, meeting again on Thursday the 4th of April, while the Sovereign returned on Sunday the 7th of April, the absence being thus, practically, only for the Easter Recess; and, if he has no precedent more exactly similar in circumstances to the present, or if in actual fact there are no others?

MR. DISRAELI: Her Majesty has been twice absent from her dominions during the Session of Parliament, and this during a reign of nearly 40 years. No interference with public business has ever been occasioned in consequence of that absence, and it is discharged with the same promptitude and precision as when Her Majesty is in the United Kingdom. Irrespective of the telegraph, a messenger arrives at Her Majesty's Continental residence every day, and she is always attended by a Secretary of State.

Mr. ANDERSON: Does the right Gentleman mean that there are two precedents for the Queen's present absence from England during the Session of Parliament? The right hon. Gentleman says that Her Majesty has been twice away. Is this one of the two occasions, or were both those occasions previous to the present?

Mr. DISRAELI: In that case Her Majesty would have been absent three times.

METROPOLIS—THE UNIVERSITY BOAT RACE—HAMMERSMITH BRIDGE.

QUESTION.

Sir HENRY HOLLAND asked the Secretary of State for the Home Department, Whether his attention has been called to the condition of Hammersmith Bridge, having regard to the number of persons on it during the training of the University crews, and on the day of the boat race; and, whether he intends to take any steps in the matter?

Mr. ASSHETON CROSS: The attention of the Secretary of State has been for several years called to the condition of Hammersmith Bridge. There is no doubt that this bridge was built a long time ago, and, although it was perfectly fitted for ordinary traffic, it is not fit for the extraordinary traffic it is called upon to bear during the day of the boat race. I thought it better, therefore, to ask the Board of Trade to send down one of their officers on a visit of inspection; and in justification of any action which the Hammersmith Bridge Company may take, I think the best thing I can do is to read the conclusions of his Report. Captain Tyler says—

> "I am of opinion that the Hammersmith Bridge cannot be employed in connection with the approaching University boat race without the serious risk of loss of life to many thousands of people who would, if the bridge were not closed, crowd upon it endeavouring to witness the race, and again, after the race, would pass over it in dense masses returning from the race, and over whom the police authorities would be quite unable to exercise any control. I am fully aware of, and have seriously considered, the inconvenience that would be caused by the closing of the bridge, and I am, I regret to say, compelled to come to the inevitable conclusion that public safety demands that such inconvenience must be incurred, and that the bridge must be closed absolutely on that day."

I have communicated that Report to the Bridge Committee, and they have, I understand, undertaken, because the whole responsibility rests upon them, and not upon the Secretary of State, to close the bridge in consequence of that Report; and I have told them that I will place at their disposal such a force of police as would enable them to carry that decision into effect; and I hope the public will aid the bridge authorities and the police in taking a step which is actually necessary for the preservation of life, and that due precautions will be taken, not only on the day of the boat race, but on the days of the practising of the crews, when the crowds are almost equally great.

MERCHANT SHIPPING BILL—[Bill 49.]

(*Sir Charles Adderley, Mr. Edward Stanhope.*)

COMMITTEE. [*Progress 27th March.*]

Bill *considered* in Committee.

(In the Committee.)

Unseaworthy Ships.

Clause 3 (Sending unseaworthy ships to sea a misdemeanor.)

Lord ESLINGTON moved, in page 1, line 17, after "misdemeanor," to leave out "unless he proves," and insert "if it be proved." He took this course because he entertained a deep-rooted conviction and a profound belief that the principle sought to be introduced by this clause was unjust in itself, and very likely to work further injustice by its operation. He objected to it because it would enable a guilty and unscrupulous man to go into the witness-box, and, by ingenuity and boldness of statements, deceive a jury, and it thus offered a premium to perjury. He also objected to it on behalf of the innocent man, who went into the witness-box to prove his innocence, because he might in cross-examination be so bothered and bewildered as to be inveigled into statements which might materially prejudice his case before the jury. He asked, what necessity there was for altering the old law of England? If in 1872 he had doubts of the soundness of the principle he was now challenging, those doubts had been more than confirmed by the outspoken opinion of a learned Judge on the subject quite recently. The clause under discussion stated that—

> "Every person who sends or attempts to send, or is party to sending or attempting to send a ship in such unseaworthy state that the life of any person is likely to be thereby endangered . . . . shall be guilty of a misdemeanor, unless he proves that he used all reasonable means, &c."

But there might be many cases in which such a person might have no knowledge whatever that the ship was unseaworthy. There might be, for instance, a hidden flaw in the shaft or screw propeller, or a defective boiler plate which had escaped notice, or some valve or sea cock which would not work as was expected, or the ship might prove unseaworthy after getting to sea, though she might have left port in an apparently seaworthy condition. And yet in such circumstances a man might be placed in the dock as a criminal, or, in order to clear himself of the charge, he might have to walk from the dock to the witness-box as a criminal. That was the privilege offered to the accused in the opinion of his right hon. Friend the Chancellor of the Exchequer. And what was the ordeal a man so placed in the witness-box might have to go through? His cross-examination might be conducted by an unscrupulous advocate, not for the purpose of ascertaining the simple point of guilt or not, but to defeat and destroy every effort on the part of the accused to prove his innocence. The Mercantile Marine of England had made England what she was, and yet the Merchant Shipping Law framed for their guidance was to be thus distorted and twisted contrary to the old legal principle. Were pitfalls to be dug for innocent men to fall into? This principle had been smuggled into the Act of 1871 about the month of August, and he did not know that it had been subjected to any discussion. It appeared again in the Mines Regulation Act of 1872, and he fought hard against it on that occasion. But he would remind the Committee that the word "wilfully" was introduced into that Act. The principle had been introduced into other Acts, notably some sanitary Acts, into the Adulteration of Food Act, and possibly another. He would not, therefore, be correct in describing it as entirely novel; he would content himself with calling it strange to the feelings and convictions of Englishmen. Three cases had been lately tried—one in Belfast and two in Waterford—but they afforded no test whatever of the soundness of this principle. Neither of them touched the point raised by the learned Judge, because in each case the arrival of the vessel furnished positive evidence as to unseaworthiness. But there was no instance where the vessel had gone to the bottom of a man being asked to prove that the ship when she went to sea was seaworthy. When on a former occasion the opinion of Mr. Justice Brett was alluded to, the hon. and learned Member for Taunton (Sir Henry James) said he had great respect for the learned Judge, but that his opinion was not worth more than any opinion which might be expressed in this House. [Sir HENRY JAMES: Than any clearly expressed opinion of the House.] He (Lord Eslington) differed from the hon. and learned Gentleman. He thought the opinion of learned Judges would be of much greater weight, because they would speak with much greater deliberation, not for the purposes of the moment, but with a view to the interests of the future. If the hon. and learned Member were now, as he would one day be, an ornament to the Bench, he would deliver his expositions of law in a different mood from that which influenced him on the front Opposition bench. Perhaps it might be told that it was necessary to introduce this new principle because it would be difficult otherwise to procure convictions. If they could not procure the conviction of a guilty man by the known, respected, and well-tried principles of English law—in other words, by fair means, they had no right to adopt foul means for that purpose. He commended his Amendment to the House with the more confidence, because the Chancellor of the Exchequer the other evening said that this was not a question on which parties ought to array themselves—that the Government were not absolutely wedded to their own views, and that they wished to be guided by the general and aggregate opinion of the House on this great question. The clause in its present state would alter one of the fundamental principles of

English law, and he hoped the Committee, before adopting it, would consider whether the change proposed was necessary and whether it was not likely to work injustice.

Amendment proposed,

In page 1, line 17, to leave out the words "unless he proves," in order to insert the words "if it be proved,"—(*Lord Eslington*,)

—instead thereof.

Sir CHARLES ADDERLEY said, that the part of the clause called in question was not really open to the criticism of the noble Lord. The principle was by no means new or inconsistent with the law. On the contrary, it was consonant with the spirit of the law and of all recent enactments on the subject. It was a provision not only necessary, but in every way advisable. The case was simply this—if it was proved that a ship was sent to sea in a state dangerous to human life, a crime had been made out; and the strong presumption must be that those who were cognizant of, and responsible for, the state of the ship, and who only could know of it, were guilty of that crime. The crime was proved; there was presumptive and strong evidence against the owner, but this portion of the clause enabled the owner—*primâ facie* evidence having gone against him—to show lawful excuse and so exempt himself from the penalty of the law. Instead of the defendant being allowed to adduce circumstances in his own behalf of which he alone could be cognizant, the noble Lord said the prosecution ought to be called upon in the first place to prove a negative—namely, that the defendant had no excuse, and next to test exhaustively circumstances of which no one else but the defendant could be cognizant; in other words, that the prosecution was to do that which was absolutely impossible. It seemed to him (Sir Charles Adderley), on the ground of common sense, that when a man had acted so negligently as to send a ship to sea in such a state as to endanger life, a *primâ facie* case had been made out against him which it was for him to exculpate himself from, if possible. He admitted that the general principle of the law was that a prosecutor must prove every fact that would make out his charge, and also that it presumed every man's innocence till the contrary was proved. Another general principle had, however, ruled for the last 30 or 40 years —namely, that the burden of proving lawful excuse, where a *primâ facie* case was made out, lay upon the defendant. There were 50 or 60 recent Acts in which this principle had been adopted, as the noble Lord would find if he referred to *Taylor on Evidence*, so that there was no straining of the law in this instance to catch the shipowner, but a following of the latest approved principles. What was the language of the Factory Act of 1844? It was infinitely stronger than the language of this clause. When a breach of the Act was found to be committed, the Act said—

> "The occupier of the factory shall be deemed in the first instance to have committed the offence."

In this case there was only recognized the presumption against the shipowner. But the Act went on to say—

> "If he shall prove that he has used due diligence to enforce the execution of the Act, he shall be exempted from the penalties otherwise incurred."

In the Explosive Substances Act of last year it was enacted that the occupier should be liable to great penalties, but might discharge himself by showing that he applied all proper means and issued proper orders against the infringement of the Act. The noble Lord said there was no such principle in the Merchant Shipping Acts. The language of the Act of 1867 was that

> "the penalty shall attach to the owner or master in fault, unless he shall prove that non-compliance was not caused through any inattention or neglect on his part,"

which was precisely on all fours with the provision now under discussion. Indeed, the actual provisions of the previous Act were re-enacted in the Act of last year. When, therefore, Mr. Justice Brett made the speech from the Bench which had been referred to, he must say it appeared strange that a Judge should have gone so far out of his proper function to criticize pending legislation apparently not aware that he had administered the law accordingly for five years past. In several of these Acts there was the further principle introduced, which had always been recognized by the Common Law, that where the subject of allegation lay peculiarly within the knowledge of one of the parties, he must state it, even although without it the presumption of law was in his favour. It would, therefore, be a retrogression in law if the Committee were to adopt the noble Lord's Amendment. The noble Lord was adverse to putting the defendant in the witness-box to allow him to give evidence in his own behalf, and although there had been less precedent for that than there was for the other proposal, the practice was growing. It seemed a great hardship to a defendant, who alone might know all the facts and be able to clear himself, to shut his mouth; and the only thing to be said for it was, that if he had the power to give evidence and did not avail himself of it, that fact might raise a presumption against his innocence, for it might be assumed that if a man was innocent, he would wish for the opportunity of proving it. The law officer of the Board of Trade had told him that in every prosecution of a shipowner, under the Acts from 1871 down to the present time, the defendants had eagerly availed themselves of this right, and if they were innocent they always would do so. Why should a great shipowners' association, who would never come in conflict with the law themselves, raise this abstract, and, as it proved, erroneous point of constitutional theory against a practical benefit desired by small shipowners, who did come into conflict with the law and who had availed themselves largely of this right, the principle of the law being that which the Legislature had followed so many years and the practical operation of the law having involved no injustice and never having been objected to? Let it be considered for a moment what the practical effect of the clause would be. The kind of excuse a shipowner would have to prove in these cases would generally be that he had employed good shipwrights; that the ship had been overhauled before going to sea; and that he took such means as an honest and careful shipowner would take in sending a ship to sea to protect the lives of the crew—all facts which would be within his knowledge and could not be within the knowledge of the prosecutor. If the Amendment were carried, there must be a conviction, without the defendant having an opportunity of exculpating himself; and this disabling of a defendant to give evidence on his own behalf would be the maintenance of the relic of old law which disqualified a man as a witness where he had any interest in the result. The Bill would only do for the shipowners what had been done for the seamen, by affording them facilities to prove the unseaworthiness of a ship as an answer to the charge of desertion. It was precisely on the same principle that the shipowner was now offered the means of exculpating himself when a *primâ facie* case was made out against him. The clause was not at all open to the criticisms of the noble Lord, who, he trusted, would on reflection see that it carried out right principles more than the Amendment.

MR. SERJEANT SIMON said, the criticism of Mr. Justice Brett was directed against the Act of last Session, not against the Bill before the House, and, without saying anything as to the propriety or otherwise of such criticisms from a Judge on the Bench, he held that the opinion of a Judge on such a matter as the present was of more weight than the opinion of many Members of that House. The Judges saw the practical working of the law, and were able to give a calm and unbiassed judgment upon it, which was not always the case on the part of the House when a Bill was in its passage through it. He was glad that the Amendment came from the other side of the House, because it could not be said that those who agreed with the proposal were by so doing actuated by party motives. It was all very well to talk of what had been done by the Factory Acts; but there was no analogy between the provisions of those Acts and what was proposed by the Bill. He concurred in the objection of the noble Lord to making a person accused on a criminal charge a witness in his own cause. He suggested that the difficulty would be got rid of, if the clause were altered so as to read that every person who, without using reasonable means to avoid sending a ship to sea in an unseaworthy state, or who, under circumstances that were not reasonable and justifiable, did send a ship to sea in that condition, should be guilty of a misdemeanour. A shipowner who sent a ship to sea in an unseaworthy condition so as to endanger life ought unquestionably to be punished, but he protested against making him a witness in his own case. If it was intended as a privilege, as had been said, then why confine it to the shipowner? Why not extend it to all persons charged with a criminal offence? And was the House prepared to do this? If it was not a privilege then it was a disadvantage, and why should a shipowner be placed at a disadvantage which no other person on a criminal charge was? It was a serious innovation on the principles which had hitherto guided our criminal jurisprudence, and of a most mischievous tendency. The present case, moreover, was one which found no justification in any special necessity arising out of the nature of the case. On the contrary, there was not a charge that could be brought against a shipowner under the clause about which in nine instances out of ten he could himself give the slightest account. All he could say was he employed a shipwright and his clerks and agents, and they would have to be called to give evidence in his behalf. In fact, this was precisely the class of case about which the accused himself would probably know nothing, and as to which everything that was to exculpate him would be known to others, and not to him. He trusted that the Government would weigh the matter further before they adopted this clause in its entirety.

Sir HENRY JAMES said, they were all agreed that some such clause as this was necessary, and they were also anxious that the clause should be so framed in relation to its primary object—the preservation of human life—that it should not throw any hardship upon those who were not likely to come within the operation of the clause. The first portion of the clause had been generally accepted by those who had taken part in the discussion. It fixed upon the shipowner the duty of sending his ship to sea in a seaworthy condition; but as a shipowner, however careful, must sometimes fail in carrying out that duty, was he not placed by means of the second part of the clause in a much better position than he would otherwise occupy, for he was thereby enabled to give evidence to show that he had done all he could to fulfil the duty imposed on him. It was said that the prosecution would be bound to negative the answer of the defendant; but there was no proposition in our law to such an effect. Again, it was urged that the clause would introduce an innovation in our legislation; but he could show many instances, and in relation to a cognate matter, principally under the Merchant Shipping Act, where the burden of proof was thrown on the accused, and where the accuser was bound to answer the excuse made. In the year 1854 an Act was passed in reference to foreign sailors brought to this country in any ship, and who, being left here, became chargeable upon the rates or were liable to be convicted as disorderly persons—there the owner of the ship was liable to a certain penalty, unless he could show that the persons so left in this country remained without his assent. An amended Act of the same year cast upon a shipowner or master the burden of proof in the case of an accusation against him of discharging a seaman or apprentice without a certificate. An Act of the following year relating to emigrants enacted that if any question arose as to whether a ship was exempt from the provisions of the Act, the burden of proof should lie upon the party claiming the benefit of the exemption. Another Act threw upon the owner or master of a ship the onus of proving that non-compliance with its provisions as to medical stores, lime juice, and so on, required to be provided, did not arise from neglect or wilful default. The instances might, in fact, be multiplied of cases in which various penalties were provided, some of them cases of misdemeanour, where it lay upon the party accused to excuse himself. But then objection was taken to the provision as to the person accused being examined as a witness. That was a very broad question, one as to which great difference of opinion existed, and his present view was rather against than in favour of it. This, however, he could not but see—that if the provision were struck out of the present Bill, the class of shipowner they all desired to aid—namely, the careful shipowner, would be the person to suffer. Why should they not give him every assistance to prove his innocence? The clause did not say that he must be put into the box, but that he might put himself into the box, and the person who was conscious of having done his duty would be the first to say—"Here are my manager, agent, surveyor, and clerks; examine them; examine me also, and I can show that I used all reasonable means to send my ship to sea in a seaworthy condition." A similar provision was inserted in the

Mines Act, enabling owners and managers to give evidence; and during the progress of the Licensing Act of 1872 the Recorder of London, whose absence from the House was now so much regretted, proposed that both the licensed victualler and his wife should be called as witnesses. Those who were supporting the Amendment were placing the careful shipowner in the greatest peril by keeping the mouth of the man closed who could best show—having the knowledge in his own breast—that the charge against him could not be sustained. He hoped the Committee would not alter the clause in the manner proposed.

Mr. Serjeant SIMON explained that, although he supported the Amendment, he had not opposed the clause. His criticism had been directed against that part of it which would make the accused a witness.

Mr. FORSYTH said, one of the well-known principles of the English criminal law was to throw the burden of proof upon the defendant, when the special means of knowledge were in the breast of the accused. He would tell the noble Lord that that was one of the commonest principles of the criminal law of England. This principle was explained in *Taylor on Evidence.* The proposal to call the shipowner into the box was much less defensible on the ground of precedent; but how could he, in the majority of cases, prove that he used reasonable means of precaution unless by tendering his own evidence?

Mr. SAMUDA said, one of the provisions of the Bill now before the Committee was that the responsibility of proof of the seaworthiness of the ship should be thrown on the shipowner, and the shipowners were propared to accept that, and to give all reasonable proof in their power in the matter; but the Amendment of the noble Lord would relieve the shipowner from a responsibility he was willing to accept.

Mr. MAC IVER, on rising to support the Amendment proposed by the noble Lord the Member for Northumberland (Lord Eslington) said, there were other than legal considerations involved. It was peculiarly a practical question, and the legal references that had been made by hon. Members did not appear to him to be in point. The case of a shipowner was different entirely from those instances which had been given. Let a shipowner be ever so careful, there might at any time be a disaster, and as the evidence of guilt might disappear, so might the evidence of innocence. Shipping disasters were different from other disasters. The right hon. Gentleman at the head of the Board of Trade (Sir Charles Adderley) had spoken of this clause—and he had no doubt he meant what he said—as if it was for the benefit of the shipowner; but if this were so, how was it that shipowners from one end of the Kingdom to the other objected to it? He (Mr. Mac Iver) represented a shipbuilding and shipowning constituency, about which no Member in the House could say that, either on its part or on his own part, there was a shadow of reasonable ground for supposing that it was their desire to screen any persons guilty of sending to sea unseaworthy vessels. The hon. and learned Member for Taunton (Sir Henry James) seemed to him to argue against his own case. The proposed criminal legislation with regard to merchant shipping had no terrors to men who wilfully neglected to send ships to sea in a seaworthy state; but it had its terrors to the honest traders who were anxious to do their best both with regard to the safety of the men employed by them and also by their shipping property. The supposition of many Members in that House, no doubt, was that good ships were perfection. Gentlemen anxious and earnest in the direction of saving life at sea would say, if a man knew of a defect in hull or machinery why did he not take it out? The reply was this—that there was not one of the leading companies, whose shipping management was most prudent, that possessed a ship which was in every little detail absolutely and perfectly sound. Supposed defects were not always real ones, and even real defects were not always important. The difference between prudent and careless shipping management was that the prudent man who understood his business would closely watch matters and attend to anything requiring attention if he was not frightened from making personal inquiry by such legislation as that proposed; whilst the careless man would find individual safety in personal ignorance, and leave the safety of his vessel purely to chance. The House was not to suppose that it was always easily discoverable when a ship had a defect. If a shipowner had every little defect put right he would soon find himself in the Bankruptcy Court. He was sure that what he had said would be borne out by every reasonable and thinking man in that House, and that the clause in its present form was a crying injustice. The shipowner who knew nothing, and took care not to know, was safe—not so the honest man who did his best. He should like to call the attention of the right hon. Gentleman the President of the Board of Trade to this, because he contrasted the larger shipowner against the smaller ones, and was also inclined to taunt the Liverpool Shipowners Association and other societies with regard to the meeting they held in London. The President of the Board of Trade had boasted too much about his feelings in relation to the "costermongers of the sea." He (Mr. Mac Iver) had had to do with more vessels carrying coal than any other Member of that House; unless, indeed, he happened to be some large colliery proprietor. This class of vessels used to come three or four times a week to the firm he was with from South Wales with coal, and they went safe. But he did know there was scarcely a sound one amongst them, in the sense of being absolutely without blemish of any kind. Yet the whole of them were reasonably safe for the work they had to do. And yet if any unfortunate man were to lose one there might be placed against him a long list of defects which seemed like reality, which perhaps amounted to nothing, yet for which he might be liable to severe punishment. He wished to urge upon the House that the views held at the different seaports were deserving of attention. They were sure of a calm and impartial consideration in the hands of Gentlemen who could have no other desire than to save human life; but to legislate without giving due consideration to those views would cripple the maritime trade of the country.

Mr. W. E. FORSTER said, he should be obliged to vote against the Amendment of his noble Friend if it were pressed to a division. As the clause stood it would not be very easy to get a conviction; but it would be impossible to do so if the proposed alteration were adopted.

Mr. WILSON, as a practical shipowner, strongly objected to the clause. He believed this attempt to make shipowners careful by throwing the responsibility upon them would not have the effect intended. The proper course to adopt was to prevent unseaworthy ships from going to sea, instead of throwing the responsibility on the owners. In the latter case, if ships were allowed to sail and were wrecked, the Government would turn round upon the owner and punish him after lives had been lost.

Mr. GREGORY supported the Amendment. The question really before the Committee was, not the liability of the shipowner, because that was secured by the clause; the question was whether the shipowner should be put into the witness-box. If the words were to stand in the Bill as now proposed no shipowner could be expected to escape conviction, unless he were put into the box. The precedents from 1844 downwards did not warrant the insertion of the clause as it stood, and he trusted that the Committee would agree to the Amendment of the noble Lord.

Mr. WATKIN WILLIAMS could not support the Amendment, but he felt indebted to the noble Lord for having brought the matter before the attention of the Committee, because it could not be concealed from them that there was an uncomfortable feeling among a large class of people that they were about to make a great alteration in the criminal law. The chief objection which had been made to the clause was, that it proposed to enact that a man should be considered guilty unless he proved himself to be innocent; but that was not the case, for the clause provided that certain conduct should amount to an offence punishable by law, and that it should be competent to the person charged to put a different complexion on the act and be entitled to become a witness in his own defence. The clause did not, in his opinion, introduce a novelty into our law, for, without relying on recent precedents, the principle had long existed in the English law.

The ATTORNEY GENERAL said, that if the Amendments were accepted they would render the clause nugatory. The great desire of the Government was to meet a crying and terrible evil, and it was essential for them to make the clause for that purpose a stringent and vigourous one. No one could object to that being done, provided the clause of the Government worked no injustice to anybody and was not unconstitutional. As to the principle of the clause, he agreed with his hon. and learned Friend (Mr. Watkin Williams) that it was not novel. There were many offences known to our law in which the proof of certain facts was sufficient to raise a *primâ facie* presumption of guilt, removing the onus of proof from the prosecution and casting it upon the accused. Here, if a man sent to sea a vessel which afterwards was abundantly proved to be unseaworthy, it was his duty to know, if anybody in the world knew, what the facts were, and there was no hardship in calling upon him, by his own or other evidence, to rebut the presumption of guilt. There were many cases, and this was one of them, where a strong presumption arose against the accused. That presumption threw the onus on the accused of proving that he had showed due diligence; and if they allowed that presumption to be rebutted, it was reasonable that he should be allowed to give evidence in his own behalf. No doubt he might be cross-examined; but, with a Judge to protect him, it was not likely that any innocent man would suffer. It was not necessary that he should present himself in the witness-box; all that he required to prove might be proved *aliunde*. No one had a higher opinion of Mr. Justice Brett than he had; but when he said that this enactment made him shudder, they should remember that novelty sometimes made a Judge shudder. It was not long ago that the whole of Westminster Hall had been convulsed at the idea of a man in a civil case being heard as a witness in his own cause. This matter was not novel; there were a number of precedents from Acts of Parliament which cast the onus of proof upon the accused. The Foreign Enlistment Act of 1870 distinctly provided that where a man, under certain circumstances, sent an armed ship to sea, it was to be presumed that the ship was to be used for military and naval purposes unless he himself proved the contrary. The Explosive Substances Act of 1875 contained a similar provision. In the Sale of Food and Drugs Act of 1870 precisely the same provision was contained. A Motion was made to strike out "knowingly," which was supported by the hon. Member for Louth (Mr. Sullivan), who now talked so loudly about this clause being unconstitutional. He thought in this case the onus was fairly and properly thrown on the accused of showing that he had used all reasonable means and exerted every possible diligence to avoid sending a ship to sea that was unseaworthy. Instead of being unjust to the accused, it was highly favourable to him to allow him to give evidence.

MR. SULLIVAN admitted that the Attorney General had quoted quite correctly the precedents for calling on the accused to prove his innocence; but in the cases cited what the accused had to prove was more or less specific. He had yet to learn that British laws required the accused to do so in a matter so indefinite and so elastic as "reasonable means" and "seaworthy state."

MR. PEASE remarked that the Coal Mines Regulation Act had been cited as one throwing on the owner the onus of proving that he had done certain things for the protection of life; but there was this difference between the present case and that of the mine owner. In the case of the shipowner, he was guilty of a misdemeanour; but in the case of the coalowner he was only guilty of an offence against the Act, the penalty for which was a fine, or, if an aggravated case, imprisonment. To such a provision he had no doubt the shipowners would consent.

MR. GRANTHAM said, the fallacy underlying the arguments of those who opposed the clause was that they argued as if the well-known assumption in criminal matters applied to this clause—namely, that if a prisoner declined to state where he obtained stolen property, or if he declined to give any account of matters on which he was accused, that the assumption of his guilt was greatly increased. But that assumption only applied to acts done by the persons charged; whereas in almost every case, under this clause, the acts referred to were in reference to things done by persons other than the shipowner—namely, shipwrights, &c., and consequently as they could, and would, be called, no assumption of guilt ever could arise against the shipowner. Shipowners could know little of the details of the management of repairs; it would be considered a matter of slight importance, therefore, whether they were called as witnesses or not, and, therefore, they could suffer no injury from the clause. If he thought shipowners would suffer, he would not support it.

Question put, "That the words 'unless he proves' stand part of the Clause."

The Committee *divided*:—Ayes 252; Noes 35: Majority 217.

Mr. PLIMSOLL, who had the next Amendment on the Paper, said, he should withdraw it, as the division just taken disposed of it. He wished, however, to correct a misapprehension which seemed to prevail with regard to his Amendment of last Monday. Many hon. Members supposed he wanted a survey of every ship prior to every voyage; whereas all he wanted was a survey of unclassed ships like that of Lloyd's, and that the certificates should last good as long as those given by Lloyd's and other registries. This narrowed the surveys very considerably. He found that the misapprehension to which he had referred prevailed somewhat extensively in that House and amongst the public, and it had been put forward in one of the most influential newspapers in London.

Captain PIM moved, in page 1, line 18, to leave out from "or," to "justifiable," in line 20, both inclusive. He could not conceive under what circumstances it could be reasonable, and still less justifiable, to send an unseaworthy ship to sea.

Sir CHARLES ADDERLEY said, that very often a ship was damaged at sea by stress of weather, and, becoming unseaworthy, put in where she could not be repaired, and it was necessary to take her to sea again to get to a port where the repairs could be effected.

Captain PIM thought in such a case the unseaworthiness did not come within the meaning of the clause.

Amendment *negatived*.

Sir EARDLEY WILMOT, moved, in page 1, lines 20 and 21, to leave out the words "and, for the purpose of giving such proof, he may give evidence in the same manner as any other witness." By this clause they were called upon to confirm and establish a rule which was contrary to our constitutional law. They were called upon to say that a man charged with an indictable offence, which would render him liable to two years' imprisonment with hard labour, should be competent to go into the witness-box, and give evidence upon oath to exculpate himself from the charge preferred against him. He did not think it right that any distinction should be made between a defendant of one class and another, and moreover, there would be this evil—namely, that he would be subjected to a severe cross-examination, and perhaps lead to his own condemnation instead of his justification.

Amendment proposed,

In page 1, line 20, to leave out all the words from the word "justifiable," to the word "witness," in line 22, inclusive. — (*Sir Eardley Wilmot.*)

The ATTORNEY GENERAL, expressed an opinion that this Amendment had already been discussed and disposed of upon the proposition of the noble Lord (Lord Eslington). It seemed to him that if they threw upon the accused the onus of proving that he had used all reasonable means of making a ship seaworthy they must in justice allow him to be a witness. Perhaps in the majority of cases he might be able to prove that he had used such means without himself giving any evidence; but cases might arise where the excuse to be offered would entirely depend upon the shipowner's own knowledge. Precedents for allowing a man charged with misdemeanour to be a witness in his own behalf would be found in the Customs Act and the Sale of Food and Drugs Act.

Sir ANDREW LUSK said, he hoped the discussion would not be altogether confined to Members of the legal profession, but that those who were more directly interested in the question would lay their views with respect to it before the Committee. For his own part, his experience as a magistrate led him to the conclusion that the Committee ought to be careful how it meddled with the rule that no man should be called upon to criminate himself. He deprecated any interference, if it could possibly be avoided, with the usual rules for the administration of justice, and he did not think the shipowners had done anything which warranted their being placed in a different position from other people. He regarded this as an attempt to introduce the French system of cross-examining prisoners.

LORD ESLINGTON said, he thought that as the Committee had, by a most conclusive expression of its opinion, determined to throw the onus of proof on the owner, the state of affairs had materially changed. He objected to throw the onus of proof on the owner, and he objected equally to put him into the witness-box to prove his own innocence. But the two propositions appeared to him to go together, and as the former had been rejected, it would be hard to deprive the owner of the power of giving evidence on his own behalf.

MR. NORWOOD said, the President of the Board of Trade had complained to-night that the richer shipowners were anxious to remove this clause, and thereby damage the smaller shipowners, who were always desirous to give evidence. He supported the Amendment, however, on the very ground that this power of giving evidence would be very detrimental indeed to the poorer shipowner, who, being uneducated, would be liable to be confused by cross-examination, and might be placed in the painful position of criminating himself unintentionally. But he objected still more strongly to this provision on the ground that it would tempt men to the commission of perjury. The clause was unjust. No shipowner in the House desired to escape responsibility; but he appealed to the Government to re-consider this clause before the Report.

SIR CHARLES ADDERLEY said, his argument was that the large shipowners, who never came into contact with the law, opposed the clause on the theoretical ground that it would be injurious to the small shipowners, who were more likely to be the subject of prosecutions; whereas in every case of a prosecution that had hitherto taken place the accused had been most anxious to be examined.

MR. SHAW LEFEVRE remarked that the power of giving evidence had been taken advantage of in every prosecution under the Act of 1871 and last year, and as there was no evidence of injustice having been done he thought this clause might be safely accepted.

MR. HARDCASTLE said, the clause practically involved the whole question of a man being compelled to criminate himself. If a man did not avail himself of the clause, that would be regarded by the jury as tantamount to an admission of his guilt. That was a most dangerous principle to introduce, and he, therefore, should support the Amendment.

MR. SERJEANT SIMON objected strongly to the proposal that an accused person should be practically compelled to tender himself as a witness. A bold, hard-headed, unscrupulous witness would probably baffle counsel, while a timid, nervous, but innocent man might be tortured into contradictions which would tell against him, and even the Judge would be bound in the course of his duty to test his credibility. The hon. and learned Member for Taunton (Sir Henry James) shrank from extending this principle to all criminal cases. Why, then, apply it to this case?

MR. GOURLEY said, it was only fair that before a shipowner went into the box and was, perhaps, badgered into criminating himself, some evidence should be given in proof of the offence. What was meant by "seaworthiness?" Could anybody define it?

MR. HENLEY said, there could be no doubt that this great change in the constitutional law of the country had been introduced by the Government in the belief that it would give fair play to prisoners accused under the Act of sending unseaworthy ships to sea; but, as far as he could collect, there had been very little argument to support it. Instead of being a benefit and an advantage to the shipowner that he should be enabled to be a witness in his own defence, nothing could be more prejudicial. He could conceive no case in which a man would not be able to prove by independent witnesses that he had taken reasonable care to send his ship to sea in a proper condition; but if he declined to give evidence himself he would be accused by the prosecuting counsel of being afraid to tender himself for cross-examination. By departing from the great constitutional principle of the law in these cases they would set a precedent very apt to be followed, for it was astonishing how these things crept on bit by bit; and in the end they would come to that abominable system of examining every wretched creature accused of a crime, and convicting him out of his own mouth. He believed that the clause, instead of giving the shipowners a fair chance, would be only giving them a rope to hang themselves, and therefore he would have great pleasure in supporting the Amendment.

THE CHANCELLOR OF THE EXCHEQUER called the attention of the Committee to the position in which they stood with regard to this question. They had already agreed that the attempt to send an unseaworthy ship to sea was to be treated as a misdemeanour. They had further agreed that it should not be necessary, in the first instance, to prove that the owner of a ship had not taken reasonable and proper means of preventing his ship from going to sea in that state. It had to be proved that the offence was complete—that the ship was unseaworthy—that the managing owner had been responsible for sending her, or attempting to send her, to sea; and in all these proceedings the line of the present system of jurisprudence would be strictly followed, because the whole burden of proof would rest on those who prosecuted. In passing, he might remark that there need be no fear of malicious prosecution, since none of the prosecutions could be undertaken except with the previous sanction of the Board of Trade. The point the Committee had to decide was—were they to throw the burden of proof that there had not been reasonable care upon the prosecution or upon the shipowner? Already they had decided, by a large majority, that if the prosecution could prove that the ship was sent to sea in an unseaworthy state under circumstances which induced the Board of Trade to direct the prosecution, the burden of proof that proper care had been taken should rest upon the shipowner. In considering the Amendment the Committee must start from that point. Anybody could see that allowing a man who had been proved *primâ facie* guilty of this offence to give evidence on his own behalf was an advantage, and not a disadvantage. But to that the answer was given that they would put him in a disagreeable position—for that if he did not go into the box, it would be presumed that he had some reason for keeping himself out of it, while, in fact, he would only absent himself because he might prove all that was necessary by other witnesses than himself. In a large number of cases it would be wholly unnecessary for the shipowner to tender himself as a witness; but there might be cases in which it would be very inconvenient, and perhaps impossible for him to call these witnesses. The shipwright whom he had employed to build the ship might be dead, or far away in some other part of the world; and in such cases it would be a great disadvantage to the shipowner not to be allowed to give evidence himself. He thought that by refusing this right to the shipowner they would do an injustice in 20 cases for the one case in which an honest but nervous man would be saved from the inconvenience and embarrassment of a cross-examination.

MR. T. E. SMITH said, he had voted with the noble Lord the Member for Northumberland against throwing the responsibility on the shipowner of proving his innocence; but the House having decided that the onus should be thrown on him, he thought it most important that the accused should be allowed to go into the witness-box and state his own case. It had been said that an innocent defendant might be put into the box and subjected to such a cross-examination as would lead him to fall into a trap laid by counsel, but he did not believe any such thing could occur. The shipowner might in some cases be held liable, not only for the acts of which he was cognizant, but to a certain extent for the acts of his authorized agents in foreign ports. A ship might sustain serious damage, and repairs more or less satisfactory might be done in a foreign port. The ship sailed from that port for England and was lost. All the instructions which the owner had given to his captain on which he had acted were probably lost in the ship. It was, therefore, absolutely necessary that the shipowner should be able to tell his own tale, and he should vote for the retention of the words in the clause.

MR. SERJEANT SHERLOCK supported the clause. He had often heard the allegation made that when the mouth of a party charged with an offence was closed it was most unjust to consign him to imprisonment or death for want of a sufficient explanation. In his opinion, when a party was proceeded against either in a civil or criminal case, he ought to be allowed to explain the nature of the transaction. There was no likelihood that any prosecution would be instituted without an official inquiry, and he thought this was emphatically a provision which would be of great advantage to the public.

Mr. WATKIN WILLIAMS supported the clause with no misgiving, except as to the propriety of making such an important change in the law in a Bill of this kind, instead of by a Bill relating to legal procedure generally. The corresponding changes which had been made in admitting the evidence of interested persons in certain cases had resulted in unqualified benefit and all prophecies of evil consequences had been falsified.

Mr. SAMUDA said, there were two proposals before the Committee—one by which it was submitted that the Government should relieve the shipowner from his responsibility, and become the prosecutor; and the other to throw the whole responsibility upon the shipowner of proving that he had done all that was reasonable and just to make his ship seaworthy, and that he was innocent of the accusation brought against him to the contrary. A large majority of the House had decided in favour of holding the shipowner responsible, and the shipowner, if the present Amendment were agreed to, would be placed in a most disadvantageous position. For his (Mr. Samuda's) part he should vote for the clause as it stood at that moment.

Sir HENRY HOLLAND thought it would be unfair in a special case of this kind that the mouth of the shipowner should be closed, especially when they considered that the evidence was permissive and not compulsory. He should vote against the Amendment.

Mr. BUTT took a different view of the point under consideration, because when a man declined to avail himself of means of exculpation that were open to him, his conduct was nearly equivalent to a confession.

Question put, "That the words proposed to be left out stand part of the Clause."

The Committee *divided*:—Ayes 177; Noes 40: Majority 137.

Mr. RATHBONE rose to Order. The next Amendment on the Paper was virtually the same as one which had already been proposed by the hon. Member for Derby (Mr. Plimsoll) and decided by the Committee. Last year it was thrown in their teeth that they defeated the Bill by making a large number of Amendments; but he now protested against their time being wasted in dealing with a Resolution similar to one already fully discussed.

Mr. D. JENKINS said, the object of his Amendment was to have a compulsory survey of ships held without Government supervision.

The CHAIRMAN said, the Amendment appeared to him to differ in one or two points from the one moved on the previous night when the Bill was in Committee by the hon. Member for Derby. This Amendment limited its operation to vessels over 100 tons. The Amendment of the hon. Member for Derby had no such limit. There were also other points of difference.

Mr. D. JENKINS then moved, in page 1, line 22, after "witness," insert—

> "From and after the first day of January, one thousand eight hundred and seventy-seven, every British ship exceeding one hundred tons register shall be provided with a certificate of classification from one of the undermentioned Associations, namely, Lloyds' Registry of British and Foreign Shipping, the Liverpool Underwriters' Registry, the Bureau Veritas, or such other association or associations as the Board of Trade may from time to time sanction for the purpose; or a certificate of survey from a surveyor or surveyors appointed by the Local Marine Board of the district, such surveyors to be taken from a list approved of by the Board of Trade from time to time. Such certificate shall state the fitness of the vessel for the trade in which she is employed, and the period for which such certificate is granted; Provided always, That this shall not apply to vessels having passenger or other certificates from the Board of Trade, or to any vessel or vessels which the Board of Trade may from time to time exempt."

The hon. Gentleman said, the security of life and property at sea was greater than it had been at any former period, but there were doubtless a comparatively few unseaworthy ships in our Mercantile Marine, and to prevent them from going to sea periodical surveys were required. The great argument against the compulsory survey of unclassed vessels was that it would drive what was called the low-class trades into the hands of foreigners; but the reply to that was that ships that were not entitled to a certificate of seaworthiness ought not to be afloat. He believed that the majority of the small shipowners of the country were in favour of the Amendment, and he had excluded vessels under 100 tons register, because they were, as a rule, engaged in river and coasting trade.

Sir CHARLES ADDERLEY hoped that the Committee would not entertain the Amendment, which was in substance the same as that proposed by the hon. Member for Derby on Monday night. Another reason for not receiving it was that it had nothing to do with the clause in which it was proposed to be inserted. If agreed to it would inaugurate an entirely new class of local surveyors under the auspices of the Local Marine Boards.

Mr. MACGREGOR trusted the hon. Member would not press the Amendment to a division. The Committee had already given a decided opinion upon its principle, and he would point out that if Amendments of this kind were carried to a division it would take two or three years to get the Bill through Committee. The hon. Member (Mr. Jenkins) saw that the Committee was not disposed to go into the question again. He (Mr. Macgregor) would merely remark that in the Amendment of the hon. Member for Derby they had a suggestion to the effect that vessels of the Pacific and Oriental Company and the Cunard Steamship Company should be exempted from the compulsory survey; and why the other great companies—those who carried the Canadian mails and others—were not included he could not make out. He did not agree with the singling out of those companies for exemption, neither did he agree with the present Amendment, which would give the Bureau Veritas the power of assuming a certificate of classification as well as Lloyd's and the Liverpool Underwriters' Registry. They did not know much about the Bureau Veritas. The Committee had made a mistake, he thought, in not accepting the Amendment of the hon. Member for Derby.

Mr. PALMER said, it was desirable that legislation on this subject should not cease until provision was made for the survey of every sea-going vessel, and therefore in that respect this Bill was imperfect.

Mr. WILSON said, the number of ships belonging to the United Kingdom between 100 and 300 tons was 4,261, and at least half of these were already certified. It was most unreasonable to assert that it was impossible to have the remaining 2,000 vessels surveyed. He was afraid that the Bill, if passed in its present shape, would not get rid of the agitation which had been going on in the country against the Mercantile Marine, but would have a tendency to perpetuate it.

Mr. A. PEEL said, the Amendment was the same in principle as that of the hon. Member for Derby, which had been rejected. He objected to the Amendment, because it would establish a system of bureaucracy which would be injurious to the Mercantile Marine. It would ultimately substitute for the principle which the Government desired to establish—namely, that of the responsibility of shipowners—a system of Government inspection.

Sir JOSEPH M'KENNA appealed to the hon. Member to withdraw his Amendment.

Sir JOHN HAY thought the Amendment would be a great improvement to the Bill, but it was not germane to the clause, and if the hon. Member now withdrew his Amendment and introduced it at a proper time he should support it.

Mr. GOSCHEN considered that the point involved in the Amendment could be better raised and discussed in another form.

Sir GEORGE BOWYER said, that the Amendment and clause would require re-arranging before the Amendment was adopted.

Mr. D. JENKINS expressed his willingness to withdraw the Amendment.

Mr. SULLIVAN implored the Committee not hastily to reject the Amendment that night. Its object was to enable the shipowners to have their ships surveyed before they went to sea, so that if any accident happened they would have it placed on record that their vessels were in a seaworthy condition. If that were not adopted the result would be that every seaport would swarm with informers spying after ships, and the shipowners would be in a worse condition than if the hon. Member for Derby's (Mr. Plimsoll's) proposal of compulsory Government survey were established.

Mr. PLIMSOLL said, he was not satisfied that the issue was fairly raised on Monday night. The fact that four shipowners had risen without the slightest concert to ask the House to let their ships be surveyed at a proper time, and when it could be done without inconvenience, marked a stage in the debate which ought not to have been ignored. In order to give the Government an opportunity of considering this significant aspect of question, he moved to report Progress.

THE CHANCELLOR OF THE EXCHEQUER appealed to the Committee whether the proposal of the hon. Member for Derby was a reasonable one. The Amendment of the hon. Member for Falmouth was not applicable to the clause before the Committee, and he would suggest that he should be permitted to withdraw it, reserving to himself the power to bring it forward at a future period.

MR. PLIMSOLL said, if the Committee allowed the Amendment to be withdrawn he would withdraw his Motion.

Motion, by leave, *withdrawn.*

Amendment (*Mr. D. Jenkins*), by leave, *withdrawn.*

MR. MAC IVER said, that he thought there was good reason for a Motion to report Progress, seeing that in a previous division every Member representing a seaport except two had voted with the minority. Time should be given to Members to apprehend the significance of this fact. He would therefore move to report Progress. ["No, no!"] He would not persevere against the wish of the Committee.

Clause *agreed to.*

Clause 4 (Obligation of shipowner to crew with respect to use of reasonable efforts to secure seaworthiness).

MR. NORWOOD moved, in page 2, line 9, to leave out "the master or," as he considered the owner should be responsible to the seamen, and not the master of the ship, for loss arising to them through unseaworthiness.

Amendment proposed, in page 2, line 9, to leave out the words "the master or."—(*Mr. Norwood.*)

SIR CHARLES ADDERLEY said, the object of the clause was to give seamen the same redress and remedies which other workmen had. The relation of the shipowner and seamen was at common law the same as between other employers and employed, and this clause simply carried out that principle.

MR. SHAW LEFEVRE thought there was great force in the desire to leave out these words, as the retention of them would be inconsistent with the language of Clause one of the Bill.

THE ATTORNEY GENERAL supported the clause as it stood, and pointed out that the shipowner and the master were to use reasonable endeavours to keep the ship in a seaworthy condition, and if they did not do so they must be held responsible to the seamen.

SIR HENRY JAMES said, that the master of the ship, according to the clause, would be liable to the master—in fact, he would have to sue himself. He thought it would be better to bring it up on report.

THE ATTORNEY GENERAL defended the clause, and contended that it had been properly drafted.

MR. RATHBONE opposed the clause.

MR. NORWOOD said, there was no question the captain of a ship had full power to pledge the credit of his owner, and he entirely agreed with the clause as far as the master's guarantee to the crew, but he took exception to it otherwise, and would persist in his Amendment to leave out the words, "the master or."

Question put, "That the words proposed to be left out stand part of the Clause."

The Committee *divided:*—Ayes 198; Noes 134: Majority 64.

MR. RATHBONE (for Mr. HERSCHELL) moved, in page 2, line 14, after "agent," to insert "in the United Kingdom," observing that it would be most unjust to make a shipowner responsible for the acts of an agent who lived abroad.

SIR CHARLES ADDERLEY resisted the Amendment, contending that the agent of the shipowner should be liable abroad, equally as at home, for all acts committed on behalf of the owner.

MR. NORWOOD said, he thought the owner ought not to be held responsible for the acts of an agent except he had been *bonâ fide* appointed, and remained directly acting under his authority.

MR. SHAW LEFEVRE supported the clause as it had been introduced by the Government.

Mr. PLIMSOLL said, he thought it was more important to hold the agent abroad responsible than the agent at home.

Amendment, by leave, *withdrawn.*

Mr. RATHBONE moved, in page 2, line 18, to insert—

"Provided, That nothing in this section shall subject the owner of a ship to any liability by reason of the ship being sent to sea in an unseaworthy state, where, owing to special circumstances, the so sending thereof to sea is reasonable and justifiable."

Sir CHARLES ADDERLEY did not consider the words necessary, but would not object to their insertion.

Amendment *agreed to.*

On Question, "That the clause, as amended, stand part of the Bill,"

Mr. PEASE expressed a hope that the right hon. Gentleman would, before bringing up the Report, re-consider this clause, which threw a responsibility upon the captain or master which seemed quite inconsistent with the rest of the Bill.

The ATTORNEY GENERAL said, his right hon. Friend who had charge of the Bill would look into the clause with the view of amending it to meet the objection of the hon. Member.

Mr. SHAW LEFEVRE said, that the objection to the clause was that there ought to be no contract as to seaworthiness between the owner and the master, although it was quite right there should be between the shipowner and the sailor. If the captain found that the ship was not seaworthy, it was his duty not to go to sea, or, if at sea, to put back.

Sir CHARLES ADDERLEY said, that if a master joined a ship at the last moment he would have no remedy, and the greatest injustice might ensue without the provisions of this clause.

Mr. SHAW LEFEVRE rejoined that it was most undesirable that a master should join at the last moment, because it was his duty to see that everything was right before he went to sea.

Sir GEORGE BOWYER pointed out that the clause would legalize a state of law which could not be maintained. It would place matters in a position like that of the guest who brought an action against his host because the chambermaid put him into damp sheets.

Mr. RATHBONE remarked that exceptional cases made bad law, and that it hardly ever happened that a captain was observed to go on board until the last moment.

Mr. SAMUDA and Mr. WILSON hoped the right hon. Gentleman would look further into this clause.

Question put, and *agreed to.*

Committee report Progress; to sit again upon *Monday* next.

MUTINY BILL.

(*Mr. Raikes, Mr. Secretary Hardy, The Judge Advocate.*)

COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

Clauses 91 to 105, inclusive, *agreed to.*

Clause 106.

Mr. P. A. TAYLOR moved an Amendment making it compulsory upon the Secretary for War to deduct from the pay of soldiers a certain proportion for the maintenance of their illegitimate children. As the clause stood it was only permissive.

Amendment proposed,

In page 63, line 30, to leave out the word "may," in order to insert the word "shall,"—(*Mr. P. A. Taylor,*)

—instead thereof.

Mr. CAVENDISH BENTINCK contended that the principle adopted was an advantage to the soldier. It was within the power of the Secretary of State to withhold a portion of a soldier's pay, and if he failed to do what was right he was responsible to Parliament, and it was open to any hon. Member to challenge his decision. It was only right and proper that this discretionary power should be vested in the Secretary of State, and he (Mr. Bentinck) asked the Committee to do that which they had already done twice before, and reject the Amendment.

Colonel ALEXANDER opposed the Amendment. If a man declined to support his wife and children he was brought before his commanding officer; and if he refused to contribute to their maintenance an appeal to the Secretary of

State was threatened, and in eight cases out of ten that threat was effectual.

Question put, "That the word 'may' stand part of the Clause."

The Committee *divided*:—Ayes 199; Noes 82: Majority 117.

MR. P. A. TAYLOR then moved to leave out the remainder of the clause after the word "decree," as he found the provision introduced by Lord Cardwell to make the soldier contribute to the support of his wife and children when they entered the workhouse nugatory, inasmuch as from a Return which he had obtained it appeared that in 1874 there were in the workhouses of the country 629 women the wives of soldiers, and 1,241 young persons who were their children, while the sum paid by the soldiers for their support was only £58 11*s*.

Amendment proposed,

In page 63, line 35, to leave out all the words after the word "decree," to the end of the Clause.—(*Mr. P. A. Taylor.*)

MR. CAVENDISH BENTINCK opposed the Amendment, as it became necessary, when they subjected the soldier to a liability from which he had been before exempt, to protect him from fictitious charges. Under the present system no complaint had been lodged at the War Office, and he asked the Committee to reject the Amendment.

Question put, "That the words proposed to be left out stand part of the Clause."

The Committee *divided*:—Ayes 195; Noes 80: Majority 115.

MR. DODDS said, he intended to propose an Amendment; but at that late hour he should move to report Progress.

MR. GATHORNE HARDY said, it was unusual to move an Amendment after two failures. He defended the necessity for the retention of the clause.

SIR HENRY HAVELOCK said, the clause was a wholesome, right, and just one. There had not been a single case of injustice or grievance brought forward against the operation of the clause.

MR. DODSON said, he hoped that, under the circumstances, two divisions having taken place favourable to the clause, the Motion to report Progress would be withdrawn. Another Amendment to the clause could not now be put.

MR. DODDS withdrew his Motion, intimating that he hoped the clause would be re-considered by the Government before next year and amended.

Motion, by leave, *withdrawn.*

Clause *agreed to.*

Clause 107.

SIR ALEXANDER GORDON moved, in page 64, line 26, after "reserve," to leave out "or of the posting of a letter addressed to him at such place," the effect of which would be that if a man did not receive a letter, and belonged to the Reserved Force, he was liable to be tried by a court martial.

MR. GATHORNE HARDY said, it was not extended to the present Reserve Forces, and there was therefore no necessity for this Amendment. He would, however, leave out the word "posting," and insert "delivery," which would meet the proposed difficulty.

Amendment, as amended, *agreed to.*

Clause *agreed to.*

Remaining clauses *agreed to.*

Bill *reported;* as amended, to be considered *To-morrow.*

ROADS AND BRIDGES (SCOTLAND) BILL.

LEAVE. FIRST READING.

THE LORD ADVOCATE, in moving for leave to bring in a Bill to alter and amend the Law in regard to the management and maintenance of Roads and Bridges in Scotland, said: The changes which have taken place in Scotland during the last 30 years, and especially the general introduction of railways, have so entirely altered the road traffic of the country that the old provisions for the maintenance of roads by tolls and statute labour have become in many districts quite unsuitable to existing circumstances. The turnpike roads have in many cases ceased to be the leading thoroughfares, their place being taken by the parish roads affording access to railway stations, for the heavy traffic on which, the assessments now leviable are quite inadequate. So long ago as 1858 a Royal Commission was appointed by Lord Derby's Government for the purpose of investigating the whole system of the management and maintenance of the public roads in Scotland, with a view to securing "a more economical and equitable system than that which at present prevails." The Commissioners were Mr. Smythe, of Methven, Sir John M'Neill, the hon. Gentleman the Member for Edinburgh (Mr. M'Laren), and the late Sir Andrew Orr. In December, 1859, the Commissioners made an elaborate Report, the leading recommendations of which were (1) The existing turnpikes and statute labour trusts should be abolished, and all the public roads in the landward parts of each county—that is, exclusive of the burghs—should be managed by trustees, consisting of the Commissioners of Supply—*i.e.*, all owners above £100 rental—and certain representatives of the general body of tenants or ratepayers; (2) In lieu of tolls and statute labour, the roads should be maintained by assessment on real rental, payable, as in the case of poor rates, one half by the owner, and the other half by the occupier, provision being made for special rating of quarries and public works, the carting from which is exceptionally extensive; (3) The debts affecting roads should be valued and allocated between burghs and counties, the assessment for payment of them and for new roads to be paid by owners only; (4) Roads within burghs should be maintained and managed by the burgh authorities having charge of the streets. The Commissioners, while expressing their own opinion in favour of the abolition of the toll system, add the following remarks :—

> "Having thus pointed out the manner in which we conceive provision might be made for maintaining roads and bridges by means of a system of assessment, we are of opinion that, even although it should be deemed inexpedient at present to attempt any compulsory general measure for introducing such a system in all the counties of Scotland, power should nevertheless be conferred upon the Road Trustees of any county to abolish the present system of tolls and statute labour, and in lieu thereof to introduce a system of assessment. Care ought to be taken, however, that such a resolution should embody the deliberate opinion of the county, by being agreed to at a meeting specially called for the purpose, and after certain notices have been given, so as to insure the perfect publicity of the intended change, in order that all parties affected by it may have an opportunity of resisting its introduction if so advised.
>
> "We are aware that a difference of opinion exists as to whether it would be expedient thus to allow one county to abandon the toll system without making the measure general, and applicable to the whole country. We are of opinion that such a permission ought to be given. Several counties are already in a condition to take advantage of a permissive Act, whereas in others no immediate change is desired. The anomaly of there being tolls in some counties, while none are found in others immediately adjoining, is one which already exists; and the few instances that will occur of persons paying tolls in one county and assessment in another, might be deemed exceptional, and not worthy of consideration. The more the traffic is found to be local, the smaller will be the number of such cases of hardship. The inhabitants of Argyllshire and Sutherland do not complain that they have to pay tolls in Dumbartonshire, Perthshire, or Invernessshire. Besides, if the change be really in itself a good one for any particular county in regard to the maintenance of its own roads, and with reference to its own traffic, the existence of tolls elsewhere should be matters of very little moment."

When the Royal Commissioners reported in 1859, there were no tolls in the counties of Argyll, Orkney, and Sutherland, the roads being maintained wholly by assessment. Since 1859 private Acts of Parliament have been obtained by which tolls have been abolished, and the maintenance of the roads provided for by assessment in the counties of Caithness (1860), Elgin and Nairn (1863), Peebles (1864), Kirkcudbright (1864), Zetland (1864), Aberdeen (1865), Banff (1866), Ross and Cromarty (1866), Selkirk (1867). In two other counties—namely, Haddington (in 1863) and Wigtown (in 1865)—private Acts have been obtained, under which tolls are to cease as soon as the debts affecting the turnpike roads are paid off or provided for, the whole cost of maintaining the roads being at once thrown upon assessment. By the private Acts obtained for Dumfriesshire in 1865, and Forfarshire in 1874, permissive power is given to abolish tolls and to provide for the maintenance of the roads affected by them by means of assessment. It is obvious from this statement as to the course taken by more than half of the counties of Scotland, in obtaining private Acts, that public opinion is not favourable to the toll system, but is in favour of the maintenance of roads by means of assessment. It is, however, to be remarked that the counties in which tolls have been abolished are not in the centre of Scotland. They are generally also of an agricultural or pastoral character. The counties which have not abolished tolls are chiefly in the centre of Scotland, and contain numerous towns and populous districts, with which it has been found difficult to deal by means of private Bill legislation. I think the time has come when a general measure should be introduced dealing with the whole country; but as in several of the last-mentioned counties peculiar circumstances have created a feeling of opposition to the substitution of assessment for tolls, I propose that, at all events for some years, the measure should not be compulsory. The Bill which I now ask leave to introduce has accordingly been framed upon that principle, effect being given in it to the greater part of the recommendations of the Royal Commissioners of 1859—with such modifications as the experience obtained under Private Bill legislation has suggested. The Royal Commissioners did not suggest any machinery for the adoption of a road Act, assuming it to be of a permissive character. By the Bill it is proposed that in the ordinary case the adoption of the Act shall rest with the Commissioners of Supply in those counties where tolls still exist, and with the Road Trustees acting under the local Acts, in those counties which have already abolished them. But in the former case it is proposed to give for the period of five years a right of veto to the Parliamentary electors of the county, to enable them, if so inclined, to postpone for that period a change which, to a certain extent, may involve, if not an addition to, at least a variation in the incidence of, their local burdens. I have been most anxious to devise some means for enabling the counties of Lanark, Renfrew, Mid-Lothian, and Ayr, which have hitherto been most opposed to the abolition of the toll system, to adopt the Act. The main cause of opposition in these counties has been the difficulty of settling by any general measure the principles which should regulate the allocation between county and burgh of debt affecting, and expense of maintaining, the roads in the neighbourhood of Glasgow, Edinburgh, and other large towns. To enable these difficulties to be equitably solved, Section 7 proposes to make it competent to adopt the Act, subject to conditions contained in provisional agreements which counties and burghs are authorized to enter into in regard to the mode of meeting the expenditure on suburban roads, such agreements, however, not to have the effect of law until they shall have been approved of by one of Her Majesty's principal Secretaries of State after such inquiry as to him may seem proper. If such an agreement should not be made within three years after the passing of the Act, it is so important that an opportunity should be afforded for special provisions being made in regard to the suburban roads round large towns that it is further proposed by Sections 8 and 9 to give the Commissioners of Supply power to apply for a provisional order to be made by the Secretary of State, and to be confirmed by Parliament modifying the general provisions of the Act in regard to the expenditure upon such roads. The Bill as drawn limits the permissive character of the measure to five years, for which period, if necessary, all existing local Acts would be continued. After five years, unless Parliament should think that period too short, it is thought that the Act should take effect at once in all counties which have not obtained private Acts of their own. Keeping in view that in the course of five years almost every one of the existing turnpike Acts will have expired, the great majority of them being already dependent on the annual Continuance Act, and further, bearing in mind the anxious provisions which the Bill contains for the adjustment of local difficulties, I do not think it is too much to expect that in 1881, or rather before the end of the Session of 1882, the Act may come into general operation without just ground of complaint on the part of anyone.

Motion *agreed to.*

Bill to alter and amend the Law in regard to the management and maintenance of Roads and Bridges in Scotland, *ordered* to be brought in by The LORD ADVOCATE, Mr. Secretary CROSS.

Bill *presented*, and read the first time. [Bill 118.]

INTOXICATING LIQUORS (LICENSING LAW AMENDMENT) BILL.

On Motion of Sir HARCOURT JOHNSTONE, Bill to amend the Licensing Laws, *ordered* to be brought in by Sir HARCOURT JOHNSTONE, Mr. BIRLEY, Sir JOHN KENNAWAY, and Mr. PEASE.

Bill *presented*, and read the first time. [Bill 116.]

MARKET JURIES (IRELAND) BILL.

On Motion of Sir Colman O'Loghlen, Bill to abolish Market Juries in Ireland, *ordered* to be brought in by Sir Colman O'Loghlen, Mr. Maurice Brooks, and Mr. Patrick Martin.

Bill *presented,* and read the first time. [Bill 117.]

CLERK OF THE PEACE AND OF THE CROWN (IRELAND) BILL.

On Motion of Mr. Solicitor General for Ireland, Bill to provide for the union of the Offices of Clerk of the Peace and Clerk of the Crown in Ireland; and for other purposes relating thereto, *ordered* to be brought in by Mr. Solicitor General for Ireland and Sir Michael Hicks-Beach.

Bill *presented,* and read the first time. [Bill 119.]

House adjourned at Two o'clock.

HOUSE OF LORDS,

Friday, 31*st March,* 1876.

MINUTES.] — Select Committee — Office of the Clerk of the Parliaments and Office of the Gentleman Usher of the Black Rod, *appointed* and *nominated.*

Public Bills—*Second Reading*—Drainage and Improvement of Lands (Ireland) Provisional Orders (No. 2) * (39).

Committee—United Parishes (Scotland) * (19); University of Oxford (45).

Third Reading—Sea Insurances (Stamping of Policies) * (40), and *passed.*

CHAIRMAN OF COMMITTEES.

Moved that the Lord Winmarleigh be appointed to take the Chair in the Committees of the Whole House in the absence of the Lord Redesdale: *Agreed to.*

CRIMINAL LAW—DETENTION OF UNTRIED PRISONERS—CASE OF GEORGE HILL.

QUESTION. OBSERVATIONS.

Earl COWPER called attention to the fact that George Hill, lately convicted of murder at the Hertford Assizes, was in prison without a trial since 4th July of last year, and asked, Whether it is the intention of Her Majesty's Government to take any steps for preventing the recurrence of so great an evil? He thought it would have been almost sufficient for him to ask the Question as it stood upon the Paper, seeing the important business before their Lordships, but that an important question of principle was involved in the matter which necessitated a few remarks. He had been informed that the system of detaining prisoners a long time before their trial was getting far too prevalent. At the present Assizes, in his own county (Hertfordshire), there had occurred several cases in which prisoners had been detained for periods extending from five to seven months before being brought to trial; and he had been informed that there were quite as many prisoners similarly circumstanced in Surrey and other counties. In his opinion the best way of relieving the Assize work, and thus preventing this evil, was to try the minor cases now tried at the Assizes at the Quarter Sessions.

The LORD CHANCELLOR said, that previously to the institution of Winter Assizes it had been frequently the case, unfortunately, that persons were kept for many months in prison awaiting their trial; and it was in order to lessen that evil that Winter Assizes were established. The rule with respect to holding those Assizes was that, in any Assize towns where there were six persons committed for trial after the Summer Assizes, Winter Assizes were held. In Hertford it happened that up to the time when the lists were made up there were only two persons for trial at Hertford, and consequently no Winter Assizes were held. It was much to be regretted that those two persons had been kept so long waiting for their trial; and in Hill's case the grievance was the greater, because he had been detained in prison until the Spring Assizes, and after that long delay was then acquitted. The matter had been engaging the attention of the Government, and, as had been announced already in the other House of Parliament, his right hon. Friend the Secretary of State for the Home Department hoped to propose a measure to prevent the recurrence of such delays as those which the noble Earl had brought under the notice of their Lordships.

THE COUNCIL OF INDIA—THE INDIAN TARIFF.

QUESTION. OBSERVATIONS.

VISCOUNT HALIFAX asked the Secretary of State for India, If he has any objection to lay on the Table of the House the dissents of Sir Erskine Perry and Sir Henry Montgomery to the telegram of the 30th of September, 1875, referred to in their dissents dated the 10th and 16th of November; and, also, whether any answer has been received from the Governor General of India to the despatch of the 11th November, 1875? From Papers already produced it was evident that the dissents of those two Members of the Council, dated the 10th and 16th of November, were supplementary to dissents which had not been produced, and which were dissents to a telegram sent by his noble Friend (the Marquess of Salisbury) to the Viceroy of India on the 30th of September, 1875. Parliament ought to have these previous dissents, in order that it might be able to judge fully of the circumstances which made two of the oldest Members of the Council express a difference of opinion from the Secretary of State on a most important question. The Act of Parliament under which the Council was created provided that the Members should have the power of recording their dissent, and he believed that up to the present time it had always been considered that by such a provision it was intended that Parliament should be put in possession of dissents so recorded. When he was Secretary of State for India, he acted on that principle so fully that on the occasion of the amalgamation of the Indian Army with the Queen's troops he wrote an official letter for the sole purpose of giving the Members of the Council an opportunity of recording their dissent with the view of their being laid on the Table of the House. He hoped the noble Marquess would not refuse the Papers for which he now asked.

THE MARQUESS OF SALISBURY said, that the dissents which the noble Viscount asked him to produce were dissents to a confidential telegram sent by the Secretary of State to the Viceroy of India. They were so far irregular that if he had been in the country at the time they would not have been made. But he held it to be absolutely necessary that no dissents should be presented unless the documents to which they were dissents were produced at the same time. Dissents were in the nature of comments. They represented what the documents contained; they might represent the contents fairly or not, or they might distort their meaning, and therefore give an entirely false description of the documents from which they were dissents. These things might happen; and consequently it would be impossible—it would be just to the Office and unjust to the public service—to present them unless the very words of the documents from which they dissented were presented. He did not think it would be of much importance to produce the particular dissents referred to by the noble Viscount, because he held that, having regard to the public interest, the telegram from which they dissented could not be laid on the Table. They might lay down the doctrine for which the noble Viscount seemed to contend—namely, that whenever there was a dissent, it and the document from which it dissented ought to be made public; but if they did they would put an end to confidential communications between the Secretary of State and the Governor General of India, and he ventured to say that for such communications there was frequent necessity in the India Office. The same thing might be said of other Departments of the State. Under those circumstances, he could not accede to the proposal of his noble Friend.

THE DUKE OF ARGYLL said, he could not but think that his noble Friend the Secretary of State for India underrated the immense importance of the refusal he proposed to sustain. He begged the House to remember—and the country to understand—what was the power of the Secretary of State for India. No other Minister in the country exercised a tenth part of the power which could be exercised by the Secretary of State for India. The Secretary held in his own hands—with the exceptions and limitations to which in a moment he would refer—all the powers which formerly were vested in the Court of Directors and in the Board of Control — that was, he held in his own hands the entire power of the Imperial Government of India. The only check which existed on that power—the only direct check — was that he could not give money grants out of the revenues of India without the assent of a majority of the Council. It had been contended that the limitation extended to this—that he must have the consent of a majority of the Council for what involved expenditure :—certainly he could not give money grants without the assent of the majority of the Council; but he (the Duke of Argyll) suspected it would be found that the Secretary of State, of his own act, and without the assent of any one, or without consulting his Council, could direct measures to be taken which would involve the expenditure of millions of money and lead to great financial embarrassment to the finances of India. He had, as he had just observed, all the powers which were formerly possessed by the Board of Control and the Court of Directors, acting through the Secret Committee, and consequently might order wars to be undertaken, and might direct measures which might lead to great financial embarrassment. The only other check was the Imperial Cabinet. But it was impossible for the other Members of the Cabinet, engaged as they were with heavy business in their own Departments, to exercise any real control in respect of the Government of India, except in very rare cases; especially if the Secretary of State for India happened to be a man, like his noble Friend opposite, of great ability and great resolution of character. He (the Duke of Argyll) asserted, then, that practically the only check was the one which his noble Friend (Viscount Halifax) had brought under the notice of their Lordships, and to which his noble Friend gave effect in so remarkable a manner on the occasion of the amalgamation of the two armies—though, of course, that amalgamation was the act of the English Cabinet. The only check was the responsibility of the Minister to Parliament; and how was it possible for Parliament to exercise that check unless it was put in possession of the facts on which he had to decide? He was at a loss to see how Parliament could make the Secretary of State responsible unless it had before it the advice tendered to him in the particular case. It was known that the despatch of the noble Marquess was one in which he condemned some financial measures of Lord Northbrook, and ordered the Government of India to repeal certain sources of revenue. Here, then, was the case of a Secretary of State for India ordering the repeal of a source of revenue with the probability of a deficit; and the powers so exercised by him might be exercised in almost any other matters concerning India, however important. How could Parliament judge whether the Secretary of State was right in dissenting from Lord Northbrook unless they had the recorded dissents before them? It was reported that not only was a dissent recorded by one of the oldest and most experienced Members of the Council, but also by a new Member.

The Marquess of SALISBURY dissented.

The Duke of ARGYLL: The noble Marquess shook his head. Of course he was speaking without information, and if he was in error on the point, that only showed the necessity for the information which the noble Marquess was asked to give their Lordships. All that was wanted was the substance of the dissents — the noble Marquess need not produce the *ipsissima verba* of the telegram. The noble Marquess with his *corps de batallion* could successfully resist any Motion for Papers; but what would be the effect of refusing those dissents? Members of the Council of India had very little substantive power, except in reference to money grants—they could only give their earnest opinion and advice to the Secretary of State; and he himself could answer for it that there was no tendency in the Members of the Council of India to exercise their power of dissent in any factious way. Sir Erskine Perry, who had dissented upon the present occasion, would, he was sure, only dissent if he entertained the belief that some dangerous step was about to be taken. He feared that they would not get eminent men to serve upon the Council unless they conferred upon them those powers which Parliament really intended they should have.

The Marquess of SALISBURY assured the noble Duke (the Duke of Argyll) that his indirect sources of information had misled him in the case. The telegram to which these dissents referred did not contain any instructions whatever; they were only a request for information. For their own importance he would not resist their production; but he must strongly resist the contention that because a Member of the Council chose to dissent from a confidential despatch that therefore that confidential despatch must be laid before Parliament. Acting upon such a doctrine would put an end to all confidential communications.

EARL GRANVILLE said, that as he understood, the matter was thus — a political Friend of the noble Marquess had moved for Correspondence, and it was given with alacrity. In the Papers laid before Parliament reference was made to "dissents," which dissents referred to a telegram sent by the Secretary of State to the Governor General of India. The telegram being asked for by his noble Friend (Viscount Halifax), the noble Marquess said it was a confidential communication. But he (Earl Granville) must observe that the telegram in question had passed through Council and elicited the opinion of the Members. If the noble Marquess, by marking such a despatch as that "confidential," could justify himself in refusing to produce either it or the dissents from it, then clearly there was an end of the Parliamentary supervision of the Government of India which the Act of Parliament was intended to secure. His noble Friend (Viscount Halifax) did not want an exact copy of the telegram—the substance of it would be sufficient; and this must be on record in accordance with the practice which prevailed in all the Offices. The noble Marquess said that there were matters which it was necessary to keep confidential. That was true. But there must not be half confidences. If it had been stated that the whole correspondence was confidential and could not be produced, his noble Friend (Viscount Halifax) would be the last man to go against the responsibility of the Secretary of State in such a matter; but when it was remembered that part of this very correspondence had been produced, and that this part showed that there was a very important portion not before Parliament, in which was included dissents referred to in the Papers that had been presented, he believed that it was utterly against the spirit, if not against the wording, of the Act, and perfectly unconstitutional to refuse what was asked for by his noble Friend.

VISCOUNT HALIFAX said, the Secretary of State had not answered the second part of his Question—whether any answer had been received from the Governor General of India to the despatch of the 11th of November, 1875?

THE MARQUESS OF SALISBURY said, the Government of India would split their reply into two parts. At present he had received only one despatch; when he had both he would lay both on the Table.

UNIVERSITY OF OXFORD BILL.

(Nos. 16. 45.)

(*The Marquess of Salisbury.*)

COMMITTEE ON RE-COMMITMENT.

Order of the Day for the House to be put into Committee (on Re-commitment) read.

Moved, "That the House do now resolve itself into Committee."—(*The Marquess of Salisbury.*)

THE DUKE OF DEVONSHIRE said, that the postponement of the Cambridge Bill to another Session would be regarded as a great disappointment by those who were interested in that University. There was a very general feeling in the University itself that Parliamentary action was desirable. He would not go into the details of the present Bill, but he wished to offer a few general remarks upon it. It had become clear that some systematic organization was necessary to the fuller development of the combined resources of the University and Colleges; and there was very little doubt that even had it been left to the University themselves, it would have made an attempt to work out the matter. There was, however, a general desire that the Government should deal with the subject; and the best way was to deal with it by a Commission. Some of the Colleges, however, did not look with satisfaction on the powers that were conferred upon the Commissioners, and thought that the Bill, as it now stood, did not give sufficient security to the Colleges.

THE BISHOP OF EXETER said, he had received a Petition from the Rector and Scholars of Exeter College, Oxford, praying, among other matters, that direction should be given as to the principles upon which the preparation of the statutes should proceed; that two-thirds of the governing bodies should have power of stopping any legislation bearing on the College; and that, in making statutes for the Colleges, provision should be made for pensions and retiring allowances. He would only address himself to the subject of the first prayer of the Petition, because he did not think the noble Marquess had sufficiently considered the clause which gave Colleges power to make statutes for themselves. In the old University Reform Act that power was quite in place, because the Colleges had simply to consider how they could best do their own work; but under the present Bill, which brought them into relations with the University, they had no means of knowing what would be required of them on account of those relations. How was it possible for the Colleges to frame statutes in order to meet certain requirements on the part of the University of which they knew nothing? If they made any statutes under these circumstances, the Commissioners might say—"Your statutes would be very good if you had taken the same view of University requirements that we do. But we have taken an entirely different view, and consequently your labour is thrown away." It was, therefore, obvious that, if the Colleges were to exercise the power proposed to be conferred upon them by this Bill, they ought to know beforehand what the Commissioners intended to demand of them on behalf of the University, and also on what principle the Commissioners proposed to make these requirements upon the Colleges in their relation to each other. It might be said that the Commissioners would consider this matter in concert with the University, and that as they were men of common sense they might be trusted to do what was right. But while they were engaged in this consideration the time for the Colleges to make their statutes would be running on; and when the Commissioners could give the necessary information the Colleges might find that it was too late for them to act. This appeared to him a very serious defect in the Bill, and he hoped the noble Marquess would do something to remedy it. All that was wanted, as far as he could see, was a clause directing the Commissioners, after due inquiry, to make a public statement of the requirements of the University, and how those requirements ought to be met by the Colleges, and providing that the time during which the Colleges were to make statutes for themselves should commence after the publication of that statement, and should be sufficiently long to admit of the subject being duly considered.

VISCOUNT MIDLETON said, that every University man with whom he had come in contact thought they owed a greater debt of gratitude to the Colleges than to the University, and desired that the Colleges should be fairly dealt with. The question as between the Colleges and the University had been tried during the last 20 years, and he maintained that the Colleges had fairly beaten the University, though they had been heavily weighted in the race. English parents still preferred—and he did not wonder at it—to send their sons to Colleges where they were brought into contact with, and were under the personal influence of, able and talented men, rather than to send them simply to be students under any Professor, however learned, who could not exercise over the minds of his pupils those direct personal influences which were most valuable in education. There could be no more fatal course than to do anything which could detract in any way from the efficiency of the existing College system. He was exceedingly sceptical as to the effect upon the promotion of original research which would be produced by the endowment of largely paid sinecures. If original research was to be promoted at all, it would be done far better by attaching some condition of special study to Fellowships in certain Colleges, and, if possible, by endowing two or three scholarships for the same object. He would take the single case of Physics as an illustration. At the present moment there was a most able Professor working at Oxford, but what was his complaint? That it was impossible for him to go into all the subjects which made up that most interesting but intricate science. There were at least three branches into which Physics ought to be divided, and there should be, if possible, a Professor in the shape of a Fellow competent to teach each particular branch of the subject, for it was impossible that any one man could do justice to all three. He presumed it was not contemplated by that Bill to endow three Professors for that Science; and he much doubted whether the real study of the Science would be promoted even if that were done. Infinitely more would be accomplished by giving two or three particular Colleges an interest in a particular study by attaching to the Fellowships the duties of a Professor, and so bringing him more directly into contact with the body who would form his class, and thus enabling him to exercise a personal influence over them. With regard to "idle" or—as he preferred to call them—"prize" Fellowships, they ought to be careful how they allowed them to be diminished. The probable effect of such a course on the Church had been previously pointed out to their Lordships. He wished to refer to its effect on the Bar. Never, he believed, was mediocrity more rife at the Bar than now. The race of life was now so hard, and the competition so keen, that it was almost impossible for any able young man who took up the Bar as his profession to make his way for years, unless he had some means to depend upon while he fought his uphill battle. It became, therefore, a matter of importance, having regard to the fitness of candidates for high legal appointments, to consider how real ability was to be attracted to the profession unless something were done to secure, for the benefit of the nation, the services of those who could not follow that most expensive profession unless some means were placed at their disposal during the earlier part of their career. Again, there was an utter absence of any apparent provision in the form of scholarships for the unattached students—a numerous and increasing body, which was supposed to be the most promising result of recent University reform. Some such provision might, he thought, be introduced into the Bill, giving encouragement out of any surplus revenue which might be obtained to young men of rare ability and narrow means to go up to the University. Then, with respect to the sale of small livings, the greatest difficulty now existed at the University in getting Fellows to accept those livings. Something in the shape of Lord Westbury's Act with regard to the Chancellor's livings might be applied with benefit to the University to some of the smaller benefices in the gift of the Colleges. The reform of Congregation ought also to be included in a Bill like the present. As now constituted, Congregation included not only those who were interested in the studies of the University, but also the incumbents of every parish who had taken their degrees at the University, and laymen who had graduated and had happened to take up their abode within a certain distance. Considering the questions which came before Congregation—questions purely affecting the discipline and teaching in the University—it was not desirable to depute to so heterogeneous a body as that the task of their regulation:—and some test of fitness should be imposed on those who took part in such deliberations. Again, it was a grievous anomaly that the country clergy, the country gentlemen, and the professional men who formed the bulk of the electors of the University should be whipped up from time to time to pronounce, it might be, on the orthodoxy of a particular divine, or, perhaps, on his fitness for the post of Select Preacher. He did not see the good of asking men to decide on a question on which the opinion of not one in ten of them was worth having. Again, considering the enormous power with which the Commissioners would be invested, and that in every scheme they sanctioned they would be bound to have regard to the general benefit it would confer on the University, it was most desirable that those schemes should be placed before their Lordships—not as those of the Endowed School Commissioners were, one by one—but that they should be all laid on the Table as part of a harmonious whole, with a Report showing the precise relation which each bore to the other, and how they could all be combined into a great scheme for the common advantage of the University.

THE MARQUESS OF SALISBURY regretted that the speeches they had just heard were not addressed to the House on the second reading, when he thought they would more properly have suited the occasion. It would seem that noble Lords having failed to address the House on the second reading had been stung by remorse, for they had since sought opportunities of delivering the speeches which they ought to have delivered at that stage. Now, most of the objections now raised were answered by the propositions in the Bill before them. He never thought of sacrificing one iota of the efficiency of the Colleges to the efficiency of the University. All he had contended was that these Colleges had not only enough, but a superfluity; and having a superfluity, he thought it might very fairly be applied to the increasing of the efficiency of the University, to which these Colleges owed their influence and their power. The interests of the Colleges would be attended to first, and those of the University afterwards. The noble Viscount who had just spoken (Viscount Midleton) said it was very desirable that some harmonious plan should be devised; but he (the Marquess of Salisbury) thought it would puzzle the noble Viscount and their Lordships to put that plan in an Act of Parliament in such a shape that it would not hamper the Commissioners and prevent them from carrying out their views. He had no doubt they would frame some such a plan; and as the Commissioners on the one hand and the Colleges on the other were not to be locked up from one another, no doubt there would be such a communication between them as would prevent the possibility of isolated schemes, such as the right rev. Prelate (the Bishop of Exeter) appeared to fear. The only other point on which he thought it necessary to remark was that which referred to unattached students. He believed the Bill would give ample provision for the encouragement of students not attached to Colleges.

VISCOUNT CARDWELL said, that one of the Memorials that had been presented from Oxford on this subject stated that it was absolutely necessary that there should be a complete inquiry into the revenues and requirements of the University before it could be decided to what objects the surplus funds of the Colleges could be best applied; that since the passing of the Act of 1854 great changes had been going on in the University and the Colleges; that there was more want of knowledge as to the present state of the University and the Colleges than there was in 1854; that there had been no proper discussion in the University itself as to the best mode of applying these funds; that the first thing to be done was that the Commissioners should obtain a thorough knowledge of the different views taken at Oxford about the best reforms that could be adopted, and that there should be a thorough knowledge on the part of Parliament and the country, not merely that knowledge of the funds which the Report of the recent Commission had supplied, but that which was still wanting, a knowledge of the objects to which those funds could, with the greatest advantage, be applied. Great alarm had been excited by what his noble Friend opposite had said about "idle Fellowships." It would be very easy largely to endow Chairs, or to convert large sums into new buildings, and if that money should happen to be improvidently expended it would not be easy to recall it. There was a very general opinion on the part of those who had taken the greatest share in advancing the progress of Oxford that, after all, those "idle Fellowships" were the *primum mobile* of the whole University. He hoped that the first things to which the Commissioners would apply themselves would be to ascertain the requirements of the University.

THE DUKE OF CLEVELAND agreed with the right rev. Prelate (the Bishop of Exeter), who said, very properly, that before you proceeded to legislate upon the Colleges you should ascertain by some process or other what were the requirements of the University itself. He believed it would be a mistake to expect a great increase of revenue at an early date, and that therefore they should not commence at once to endow Professorships out of the College funds.

THE EARL OF CARNARVON thought that as the larger points involved by the principle of the Bill had been disposed of, the House might now go into Committee upon the measure with advantage.

House in Committee.

Preliminary.

Clauses 1 (Short title) and 2 (Interpretation) *agreed to.*

Clause 3 (Body of Commissioners) *agreed to.*

Commissioners.

Clause 4 (Nomination of Commissioners).

Verbal Amendments made.

THE EARL OF MORLEY said, this was really the important clause in the Bill. It was a very delicate and invidious task to scrutinize the composition of a Commission—especially when it consisted of men of great public reputation—but he could not allow this clause to pass without taking exception to the composition of this Commission. He felt it his duty to state his opinion—which he believed was shared by most of those who were interested in University reform—that the Commission, as now constituted, was most unsatisfactory to those who took an interest in the progress of our Universities. He must remark, in the first place, upon the absence on that Commission as nominated by the clause of any individual except one who was thoroughly acquainted with the modern phase of Oxford. The gentleman whose name stood third upon the list, the Dean of Chichester, was the only one who was acquainted with Oxford in the modern sense of the term, and he, unfortunately, was known there as a most decided partizan—although it was beyond a doubt that the views he held with so much pertinacity were most honestly entertained. The appointment of the Dean of Chichester would be unacceptable to most of the Colleges. He must ask their Lordships whether it was right that so strong a partizan should be appointed on this Commission. He entirely disclaimed being influenced in this matter by what the noble Marquess (the Marquess of Salisbury) had termed clerico-phobia—his objection to the gentleman to whom he referred was in consequence of his well-known views upon University questions, and not because he was a clergyman. He hoped that the noble Marquess would consent to strike the name of that gentleman out of the clause, and would substitute for it one who, besides being well acquainted with Oxford, entertained more moderate views on the questions which would come before the Commission. He regretted that owing to the course taken by the noble Marquess last night he had been unable to give due Notice of his intention to move an Amendment upon the clause. He now moved to amend the clause by striking out the words "The very Reverend John Williams Bargon, Dean of Chichester."

Moved to leave out ("The very Reverend John Williams Bagon, Dean of Chichester.")—(*The Earl of Morley.*)

THE MARQUESS OF SALISBURY said, that the course taken by the noble Earl (the Earl of Morley) was without precedent in moving an Amendment of such importance without having given Notice. The list of the names of the Commissioners had been made known last Monday, and since then the noble Earl had had ample opportunity of giving Notice of his intention to move his Amendment had he thought fit to do so. Nothing could be more difficult than to meet an Amendment of this nature, because it was impossible to discuss in public the reasons why Her Majesty's Government had selected the gentlemen whose names had been placed on the Commission—it must be obvious that great reserve must be exercised on such a subject. When the noble Earl said that the Dean of Chichester was a partiazn, that meant the Dean of Chichester did not agree with the noble Earl. That was, no doubt, true;—but it was the duty of Her Majesty's Government to find gentlemen who would represent different colours of opinion. As a matter of fact, on looking at the names of the Commissioners he found that it would consist of four Liberals and three Conservatives; and that among the latter there was one whose views with regard to University questions were not generally entertained by Conservatives. But because there was on the Commission one single individual whose opinions differed from those of the noble Earl, it was said that his name ought to be struck off the list on the ground that he was a partizan. He thought that this was a tyranny of opinion on the part of the noble Earl which might perhaps be justified if the Conservative Party were in a hopeless minority, but which certainly could not be justified when Parties were, to say the least of it, tolerably well balanced. The appointment of the Dean of Chichester had recommended itself to Her Majesty's Government on the ground that he was well acquainted with Oxford, that though a clergyman deeply attached to the Established Church, he was not a man of extreme theological views, that he was well acquainted with the University, and that, on the whole, the appointment was one that was desirable. He must, however, absolutely decline entering upon the invidious task of analyzing the character of the Dean of Chichester, and all he could say was that if the noble Earl pressed his Amendment to a Division, he should vote against it.

THE EARL OF KIMBERLEY protested against the doctrine that they were precluded from criticising the composition of the Commission. The names of the Commissioners were in the Bill, and were therefore public property; and as it was proposed to entrust very important powers to the Commission, Parliament had the right—it was their duty—to criticize whatever names they thought proper. He could not conceive a more vicious principle than to select men for this Commission because they were Liberals or Conservatives. He objected to the Dean of Chichester being placed upon this Commission, not because he was a Conservative, but because he had taken such a part in University affairs as disqualified him from sitting upon this Commission.

Lord FORBES, as a personal friend of the Dean of Chichester, repudiated the idea that he was a partizan in University affairs—he would go further and would assert that from his long and intimate acquaintance with Oxford he was most fit to sit on this Commission.

Lord CARLINGFORD said, he had heard with surprise the statement of the noble Marquess that the proposal of his noble Friend (the Earl of Morley) was without precedent. The noble Marquess could scarcely have forgotten the fact that on the occasion of the former Bill being introduced in the other House of Parliament the names of the proposed Commissioners were canvassed at great length, and the result was, if not an alteration of, at any rate some additions to, the names proposed in the Bill. He understood the proposal of his noble Friend to have been made because while none of the eminent men who could represent reforming opinions in the University had been proposed to be placed upon the Commission, it was intended by Her Majesty's Government to include in the list the name of a gentleman who had for a long time passed expressed in the plainest terms the strongest anti-reforming views.

The LORD CHANCELLOR said, that in view of the fact that the names of the proposed Commissioners were openly announced in their Lordships' House on Monday last, he was surprised that no notice of intention to raise objection to any of the names suggested had been given, either publicly or privately. The Government had, therefore every reason to suppose, until the noble Lord moved to omit the name of the Dean of Chichester, that the composition of the Commission had given satisfaction. The only objection he had heard to the Dean of Chichester was, that he was a partizan. What did that mean? Why, that the Dean was a man who held strong views on various questions, and did not fail to express them. But it was not to be supposed that other members of the proposed Commission were in perfect harmony with him, or that they would refrain on occasion from expressing their own opinions on the matters with which they would have to deal. He should despair of any satisfactory result if the Commission did not embrace men of different views, representing different schools of thought. He thought the Dean of Chichester would be an advantage rather than a disadvantage to the Commission.

The Earl of CAMPERDOWN said, he should support the proposal to omit the name of the Dean of Chichester from the Commission, on the ground that his name would not command the confidence of a very considerable section of the University.

Earl GRANVILLE said, the opinions of the other members of the Commission were not so well known as those of the Dean of Chichester. He had not the pleasure of knowing the Dean; but he certainly had heard from the University strong expressions of amazement at the proposal to appoint him as one of the Commissioners. The Dean had for a long time held and expressed extreme views on University matters; and if, as the noble and learned Lord had said, those views were likely to be met and dealt with by other members of the Commission, he should like to know the name of the learned counsel on the other side.

On Question, That the words proposed to be left out stand part of the clause? Their Lordships *divided*:—Contents 60; Not-Contents 30: Majority 30.

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Cairns, L. (*L. Chancellor.*)

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Dartmouth, E.
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Feversham, E.
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Bagot, L.
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Clanbrassill, L. (*E. Roden.*)
Clinton, L.
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Dunmore, L. (*E. Dunmore.*)
Ellenborough, L.
Elphinstone, L.
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Calthorpe, L.
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Ettrick, L. (*L. Napier.*)
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Rosebery, L. (*E. Rosebery.*)
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Wolverton, L.

Resolved in the *Affirmative.*

Clause *agreed to.*

Clause 5 (Vacancies among Commissioners) *agreed to.*

Duration: Proceedings.

Clause 6 (Duration of the Commission).

The clause limited the duration of the Commission to the year 1880, with power to Her Majesty in Council to extend the limit to 1883.

The Marquess of LANSDOWNE moved an Amendment limiting the power of prolonging the powers of the Commissioners to one year.

Amendment *moved*—

Page 2, line 17, leave out after first ("and") and insert ("seventy-nine; and it shall be lawful for Her Majesty if she think fit, with the advice of Her Privy Council, further to continue their powers until the end of the year one thousand eight hundred and eighty.")—(*The Marquess of Lansdowne.*)

The Marquess of SALISBURY feared that the effect of the proposed restriction might possibly be the scamping of the inquiries in order that the labours of the Commissioners might be concluded within the prescribed time. He did not at all desire that their labours should continue longer than was necessary; although he could not concur with those who thought that needful reforms would not be carried out during the existence of the Commission. He believed that they would.

Amendment (by Leave of the Committee) *withdrawn.*

Clause *agreed to.*

Clause 7 (Chairman and meetings of Commissioners); Clause 8 (Seal of Commissioners); Clause 9 (Vacancies not to invalidate Acts) *agreed to.*

Statutes for University and Colleges.

Clause 10 (Power for University and Colleges to make Statutes).

The Archbishop of CANTERBURY asked whether statutes made by a College before the Commissioners took the matter in hand would be submitted to the Committee of the Privy Council?

The Marquess of SALISBURY said, that it was intended that they should.

Clause *agreed to.*

Clause 11 (Power for Commissioners to make statutes for University and Colleges) *agreed to.*

Clause 12 (Limitation of one hundred years.)

The Clause provided that the Commissioners shall not make a statute affecting a University or College unless the instrument of foundation or of endowment thereof was made or executed more than one hundred years before the passing of this Act.

The Earl of MORLEY moved, in page 3, lines 39 and 40, to leave out ("one hundred") and insert ("fifty,") the alteration, he said, being necessary in order that the University might not be placed in a worse position than at present.

Lord HOUGHTON said, he should vote for his noble Friend's Amendment, but, at the same time, he should not object to see the clause left out of the measure altogether.

The Marquess of SALISBURY admitted that the clause raised their old Friend "the pious founder" again, who had formerly given so much trouble. Some people seemed to think that there should be no permanence given to bequests, and that what a man left to day Parliament ought to dispose of to-morrow. If this principle obtained, bequests would absolutely cease. He did not seek to establish the doctrine of perpetuity in respect to charitable bequests any more than in respect to bequests of a private nature. Now a private bequest might, under certain circumstances, be tied up for 100 years; and there was nothing unreasonable in proposing that a bequest of a public nature should be maintained for the same period. He thought their Lordships would confer a high benefit, not only on the University, but on the nation at large by establishing the limit which he proposed in the Bill.

Earl GRANVILLE said, he rather agreed with his noble Friend behind him (the Earl of Morley)—50 years was long enough for all purposes—but he thought he had exercised a wise discretion in not moving the omission of the clause. He thought the noble Marquess had exaggerated the danger with regard to bequests. As far as he had remarked, people were now beginning to see the inconvenience of tying up bequests in too close a manner, and the desirability of leaving them more open to be decided according to the exigencies of the time. The great convenience, to his mind, of the Amendment was that it was not creating any new precedent, but was maintaining the exact principle which, some years ago, Parliament laid down.

The Marquess of BATH said, this Bill would establish a state of things which might be expected to last for a considerable number of years.

The Earl of KIMBERLEY observed, that events moved rapidly now-a-days. Some limitation less than 100 years was desirable.

The Earl of CARNARVON said, Parliament ought to take care not to frighten Founders, and that in the matter of limitation it would be well to err on the safe side.

Viscount CARDWELL said, that looking to the change which time was constantly making in the circumstances under which the bequests of Founders were applied, it was extremely probable that Founders would prefer to leave their foundations to the discretion of Parliament at the end of 50 years.

The Marquess of SALISBURY said, he would accept the Amendment provisionally, leaving the Government free to deal with it as they might think fit at any future stage of the Bill in either House.

Then Amendment made; the words "one hundred" being struck out, and the word "fifty" inserted in lieu thereof.

Clause, as amended, *agreed to.*

Clause 13 (Regard to main design of Founder) *agreed to.*

Clause 14 (Provision for Education, religion, &c.).

Earl GRANVILLE moved, in page 4, line 10, after ("requisite,") to insert—

> "and they shall make or continue such provision as they think necessary for the purposes of religious instruction and worship in the University or College; and after making such provision they shall as regards all University or College emoluments or offices have regard to the ensuring and shall make such statutes as are necessary for the ensuring the same being conferred according to personal merit and fitness; and (except in so far as is requisite for the purposes of religious instruction and worship) none of the tests, conditions, or obligations referred to in the third section of the Universities Tests Act, 1871, or in the provisoes thereto, shall be imposed or continued as part of the conditions of eligibility to or of tenure of any University or College emolument or office."

The noble Earl said, that the object of his Amendment was to get rid of the restriction that at present existed in reference to clerical Fellowships. He did not for a moment pretend to say that the clerical were not equal to the lay Fellows at Oxford, but he maintained that the presumption was entirely in favour of open Fellowships. The most distinguished men, even if they intended to be clergymen, naturally looked upon an open Fellowship as a greater honour and prize, and they would compete for one and obtain it; while, on the other hand, men of inferior ability would compete for a clerical Fellowship. If they wished to attract the best men to the University and to retain them there—if they wished, above all, to secure the best men for secular education at the University—they must throw open the Fellowships to them all. It was a matter of great doubt among those who had most considered the question whether any advantage was gained even for the Church itself by maintaining those strictly clerical Fellowships. Cases not unfrequently happened that men of the highest character, the greatest ability, and the greatest culture absolutely refused to take Holy Orders, being very much influenced by scruples they felt in regard to the pecuniary temptations held out to them, and also by the opinion which they feared others would probably entertain as to the motives which governed them. It was also a scandal to the Church and to religion that young men should be tempted, through the restriction now imposed on these Fellowships, to take Orders without feeling their fitness for so sacred a calling. Then, with regard to the Heads of Colleges, was there anything more likely to weaken authority and impair discipline than that they should have, as was often the case, at the head of a College a clergyman—very respectable no doubt, but who in point of natural talents and acquirements was very inferior to the able men over whom he was called upon to preside?

THE BISHOP OF LONDON said, that so far as his experience went, the authorities had not power to remove the restrictions by which only clerical candidates could obtain Fellowships.

THE BISHOP OF OXFORD protested against the clerical Fellows being considered as a class, and spoken of as if they were inferior in attainments to the others. Up to the time of taking Holy Orders they mixed with others and partook of the same amusements and same studies, and if the restrictions complained of were removed to-morrow, there would be an equal number of young men applying for admission to Holy Orders. It must be remembered that the question with which they were now dealing was created by the last Act for University reform; he believed that these clerical Fellowships were created under the existing Act as a sort of a compensation to the Church for privileges that the Act took away from it. But it was a monopoly, and he believed an injurious one. He was therefore willing that the restrictions in respect of clerical Fellowships should be removed. He doubted, however, whether it would be an unmixed good. He was afraid there could be no doubt that there were some Colleges in which many of the Fellows were not Christians; it was therefore very desirable to take care that provision was made for religious instruction and worship in each College. It would be a serious risk for a boy who had been religiously brought up at home to enter a College in which he would have no opportunity of hearing one word or seeing one practical example that would lead him to live there as a Christian.

THE MARQUESS OF SALISBURY said, he did not urge the maintenance of clerical Fellowships on the ground of the benefit which would thereby be given to the Church of England—he urged it in consideration of the interests of the particular community in which we lived. The right rev. Prelate who had just spoken (the Bishop of Oxford) told their Lordships, with a great deal of candour, that there were Colleges in which some of the Fellows were not Christians. He (the Marquess of Salisbury) was afraid that was an undoubted fact. There was no doubt that the proposed clause of the noble Earl (Earl Granville) provided for religious instruction, but it did not provide for the government of the Colleges, and the Colleges were governed by their Fellows. Whatever else you might say of a clergyman, you might say, with at all events an approach to probability, that he was a Christian. That could not be said with any certainty of the Fellows to whom the right rev. Prelate had alluded. If you had a certain element of clerical Fellowships in Colleges, you had a security for a certain element of Christian government. If you eliminated that element, whatever security you might give, or profess to give, for religious teaching, you would have no security whatever that those provisions should not be neutralized by the anti-Christian teaching of Fellows in whom the government of College might be vested. That element was the main argument for the maintenance of these clerical Fellowships. As long as they placed the government of Colleges in persons selected absolutely without any reference to their moral qualifications, so long would some such security as was afforded by this clause be absolutely necessary. Another question which was raised by the Amendment of the noble Earl was whether laymen should be allowed to become Heads of Colleges. In his opinion, considerable injury would be done to the Universities, they would be brought into disrepute, and parents would be seriously alarmed if some very distinguished persons holding the views referred to by the right rev. Prelate were placed at the head of any of the Colleges. Such an event would be deplorable, and disastrous to the University. The Bill did not profess to deal with the constitution of the University. The Heads were the point where the Colleges touched the University; and if they removed the restrictions now existing, they would alter the character of the constituency which elected the Hebdomadal Council and the essentially Christian character of University government. This, however, was a question that involved a much larger subject than this Bill proposed to deal with.

THE EARL OF MORLEY supported the Amendment. He protested against the present restriction as one injurious to the Colleges and to the University at large, by preventing men of distinguished ability being selected for the Headships because they did not happen to be clergymen.

THE BISHOP OF ELY said, it would be a great discouragement to many distinguished persons at Cambridge, who were now exerting themselves with much success to raise the study of theology, if the clerical Fellowships were to be swept away. There was much difficulty even now in supplying parishes with clergymen educated at the Universities, and if the clerical Fellowships were to be abolished that difficulty would be largely increased.

LORD HATHERLEY supported the Amendment, remarking that in the University of Cambridge, where, for a few years, he held one of what were called the "idle Fellowships," there existed no clerical Fellowships of the same nature as those at Oxford. The candidates for Fellowships entered upon their examinations without even knowing who were or were not about to take Holy Orders, the only condition attending the holding of Fellowships being that at the end of seven years after taking his degree of M.A. a Fellow was compelled either to take Orders or to resign his Fellowship. Even this restriction was, to his mind, objectionable, in that it put a strain upon the consciences of Fellows; and, on the whole, he thought it was not to the interest either of the Colleges or the Universities to retain the restriction, even in a modified form.

THE ARCHBISHOP OF CANTERBURY thought it important that their Lordships should clearly understand the real question before them. As far as he understood the matter, there was nothing in the Bill to prevent either a diminution in the number or the entire abolition of clerical Fellowships; and the only question was whether such diminution or abolition should be left to the discretion of the Commissioners to determine as they considered best in each instance in reference to this matter, or whether they should be fettered by an instruction contained in an Act of Parliament which would render it obligatory upon them to follow a particular course. For his own part, he thought it would be the wisest course to leave the Commissioners free to exercise, or refrain from exercising a power conferred upon them by the Bill as drawn by the Government. If the Amendment of the noble Earl was adopted, they would lay down a rule for the Commissioners in this matter; whereas, if they followed the present practice, whatever was done would be done under due consultation and deliberation with each College as to how far these clerical restrictions ought to be diminished. He fully agreed with much that had been said of the evil of the lately introduced system of clerical Fellowships. He was not one of those alarmists who thought that by such a change as that proposed the University would be un-Christianized; on the contrary, he thoroughly believed there would always be—both in the University of Oxford and in that of Cambridge—maintained the same amount of Christianity which was found to exist in the nation. They need not alarm themselves if the Amendment was adopted; but, for his part, he would on the whole, prefer the Bill as it stood.

THE EARL OF KIMBERLEY said, that the question involved in the Amendment was one of principle, not of detail, and ought to be decided by Parliament and not by the Commissioners. He had hoped the most rev. Prelate would have given it his support. The argument of the noble Marquess put him forcibly in mind of what had occurred during the debate on the Tests Bill. Every endeavour was made by the noble Marquess to show that that was a dangerous measure; but, with all his ingenuity, the noble Marquess had not invented such an argument then as he had put forward that night—namely, that clerical Fellowships would operate as an indirect test—it was in order that the government of the University should not get into non-Christian hands that the clerical test was to be maintained. This was a proceeding in the teeth of the Tests Act —the discovery of a mode of thwarting the spread of free thought in the University by the retention of an indirect test. Nevertheless, they had accepted the principle that the Universities should be open to all, free from all tests, and had trusted to the natural strength of Christianity to maintain itself.

The LORD CHANCELLOR observed that no one was less open to a charge of unfairness than the noble Earl who had just spoken; but nothing could be more unfair than the imputation that his noble Friend (the Marquess of Salisbury) had so arranged the Bill as by a device to retain an indirect clerical test.

The Earl of KIMBERLEY explained: he had not referred to the Bill, but to the argument of the noble Marquess.

The LORD CHANCELLOR: The real point in issue was clearly contained in the clause and the Amendment—namely, whether the Commissioners should have power to say where and how far clerical Fellowships should be abolished. The point was, what did the Bill propose; and it was unfair to suggest that there was anything in the Bill which did not leave the Commissioners perfectly free to act as they thought fit, and according to the particular circumstances of each case, in respect to those clerical Fellowships. But it was said that the Commissioners might exceed their powers—suppose them to say there should be no clerical Fellowships at all —well, what would happen then? The whole thing was within the power of Parliament—the Bill required that every statute should be laid before Parliament; and it did not require that both Houses should agree in rejecting what was disapproved, because it was sufficient that either House objected, and it was disallowed. What further safeguard could be required than this—that if the Commissioners exceeded their discretion, the matter was absolutely in the control of their Lordships' House?

Viscount CARDWELL said, that the real question raised by the clause and the Amendment was, whether this matter was one that should be decided by Parliament or left to the discretion of the Commissioners. The proposition of his noble Friend (Earl Granville) was that, after providing for religious instruction and worship, all the emoluments of the Colleges should be open to the nation. In this way they would be made what they should be—national institutions; and the moral evil would be done away with, that young men should be told that there were pecuniary advantages to be gained by professing a particular form of religious belief. All the materials necessary for the decision of that question were before their Lordships. It was not one of detail, to be settled according to particular circumstances, but one to be decided on general principles.

The Earl of HARROWBY thought they should not overlook this fact, that the giving of a religious education was the main object of our Colleges and Universities, and further, that it was most desirable, as far as possible, that the clergy should be brought up in our Universities, and not be driven into separate theological schools. He thought that within certain limits the Universities should be specially connected with the Church of the nation, and that therefore the Commissioners should not be tied up so that they would be bound to abolish clerical Fellowships.

Earl GRANVILLE said a few words in reply.

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Resolved in the *Negative.*

Clause *agreed to.*

Clause 15 (Objects of Statutes of University).

THE MARQUESS OF LANSDOWNE moved the addition of words providing for temporary or occasional Professorships, Lectureships, or Readerships in any art of science. His purpose was to provide for the case of there being resident at the University, whose services the University might be glad to retain by nominating him to such a temporary office as was indicated in the Amendment—a person specially versed in some particular subject.

Moved, in page 4, line 25, after sub-section (6), to insert the following sub-sections :—

"(*a.*) For providing for temporary or occasional professorships, lectureships, or readerships in any art or science;

"(*b.*) For providing for the instruction and discipline of members of the University not being members of any College or Hall."—(*The Marquess of Lansdowne.*)

THE MARQUESS OF SALISBURY said, the provision suggested by the noble Marquess was perfectly unnecessary; because, under the existing law, it was perfectly competent to the University to do what the noble Marquess proposed out of funds of its own.

On Question ? *Resolved* in the *Negative.*

THE ARCHBISHOP OF CANTERBURY: My Lords, the Amendment of which I have given Notice calls the attention of the Commissioners to the importance of diminishing the expense of University education. The Bill before your Lordships' House refers rather to the improvement of the University arrangements for its present students, and not to the admission of a class now excluded. The Royal Commissioners for the University of Oxford, in their Report of 1852, stated their conviction that it was most desirable to make provision for the admission of a class of students whose poverty makes the University at present inaccessible to them. In Page 35 of their Report they allude to the various representations on this subject which had been brought before the public, and especially to one memorial supported by the authority of the Earl of Shaftesbury, of the noble Earl now sitting on my left, who was at that time Viscount Sandon, and of Mr. Gladstone.

My Lords, I rejoice to know that in consequence of changes introduced into the University of Oxford since the date of the Report I have quoted, the number of undergraduate students has increased from about 1,500 to about 2,500. But no one, I presume, will say that this increased number represents what ought to be the proportion of young men receiving University education, out of the millions of the population of this country. Your

Lordships have heard from one of my right reverend Brethren this evening, that there is a daily increasing difficulty in obtaining candidates for Holy Orders who have received a University education. I do not attribute this to any unwillingness on the part of young men or their parents to seek a University education. I do not myself believe that there is any widely extended fear of un-Christian influences at work in Oxford, or that this fear deters students from seeking to enter the University. I believe that, though certain young men among the College Fellows and Tutors, intoxicated by a sense of the unbounded liberty which recent changes appeared to them at first to have introduced, have from time to time spoken or written very foolish words, yet a more sober cast of thought is gradually prevailing, and that Oxford, like Cambridge, will be found very fairly to represent the deeply-seated Christian feelings of this Christian nation. We have heard from one of my right reverend Brethren, the Visitor of more than one College in Cambridge, that in his University the number of young men of the highest intelligence who are preparing themselves for Holy Orders is on the increase. And in this respect, as Cambridge has often in other matters been ready to follow Oxford, so I believe Oxford will not be slow to follow Cambridge.

My Lords, it is from no fear of contagion of opinion that the clergy, for example, hesitate to send their sons to Oxford. It is because they are poor and the education of the Universities is expensive; poorer now than they have ever been before, from the fact, that, while the numbers of the clergy are greatly increased, the funds available for their maintenance are not increased in proportion. My Lords, numbers of English parents are knocking at the door of the Universities to obtain admission for their sons, if only they may be admitted at a cost which is within their means. It is a great advantage that the plan devised by the original Royal Commission — at first violently opposed, but at last, I am thankful to say, heartily accepted, by the University—of admitting unattached students, not members of any College, to the benefits of University teaching, has borne such good fruit, that there are this year reported to be some 250 such students at Oxford, living according to that scale of cheapness which their poverty prescribes. I rejoice also that there are a great number of students living at a very moderate cost in Keble College. That institution, valuable as it is, can by no means contain all the poor scholars who ought to frequent the University — and many, perhaps, for various reasons, might hesitate to associate themselves with that institution even if it could receive all. In the old days, my Lords, poor students were sent in large numbers to the Universities through eleemosynary foundations, or by private charity of individuals. In the Middle Ages it was thus that poor scholars rose often from the lowest rank, to fill and adorn the highest posts in Church and State. Do not let it be said, my Lords, that competitive examinations to open scholarships and Fellowships supply all wants. Admirable as is this system of open competition for distributing the prizes of successful study and of intellect, such prizes, unless multiplied to a degree which would make them cease to be distinctions, cannot meet the wants to which I refer. We require cheap education, available not only for exceptionally clever lads, but for all who have ability to rise and serve the country usefully in Church and State, if only they can be properly trained. Let it be remembered that to gain the great prizes of the University a youth requires, not only excellent abilities and sound health, but also in most cases an expensive preparatory education. We ask a cheap education for those who wish to live cheaply, with a sufficient amount of rewards and helps to enable deserving poor students to maintain themselves at the University. It may be said that subscriptions have been raised and committees formed to assist in this object, and the source of private charity is not dry. But, my Lords, it is not charity that these persons ask; it is the opportunity of living quietly, modestly, and cheaply, in the enjoyment of University privileges. Do not let it be said that the unattached students can gain scholarships in Colleges. My Lords, it is a mockery to say to such a young man, as I have been speaking of, who is struggling to maintain himself on some £80 or £60 a-year, that he may gain a scholarship of £40 or £50 in a College where he will be expected to live at the rate of some £150 or £200. We desire that the unattached students should have some direct benefit from the superfluous wealth of the Colleges. These Colleges were founded mainly for poor students—the application of a portion of their superfluous wealth will not be unfitting to the purpose which I have suggested. If it be true that one College divides annually some £35,000 a-year and does not educate a greater number of young men than others which have an income of £7,000 or £8,000, does it not seem reasonable that provision should be made to facilitate the education of poor students out of some portion of this income, especially as there can be no doubt that the education of such students was a main object of the founders of such Colleges? We desire then first, that, as Balliol, Oriel, Exeter, and all other Colleges have scholarships tenable only by persons who become members of these societies, so the unattached students may have scholarships of their own, open indeed to public competition in the whole University, but tenable only like the College scholarships by those who are willing to join the society of the unattached, and to conform to the rules which govern that body. Moreover, we can see no reason why salaries out of the surplus funds of the Colleges should not be assigned to Tutors and Lecturers of the unattached, that thus really good instruction may be secured to them at a rate of payment within their means. We do not desire that our clergy should be trained at a distance from our Universities in seminaries separate from the laity. It is no doubt well that in many cases they should have a special professional training, either at Oxford or elsewhere, after their general liberal education has been finished; but it is, I fully believe, the general wish of the Bishops, as well as of our candidates for ordination and their parents, that our future clergy should mix, during the period of their education, with young men preparing for secular professions, and should have the full advantages of that general and enlightened culture which is scarcely to be expected in small theological Colleges, but is of the very essence of a great University.

I have, as is natural, spoken chiefly of the claims of the clergy in this matter. I venture to repeat again, that the present clergy of the Church of England, as a general rule, have had the benefit of being themselves educated at one or other of our ancient Universities, and that they desire a similar privilege for their sons, but the expense of University education stands much in their way. It is one of their peculiar functions, in an age and country given to money-making, and in which money is worshipped, to exhibit both to rich and poor an example of those higher humanizing influences, which a man of very moderate wealth or even of straitened means, but of cultivated mind, may exercise in a position secured to him in virtue of his office, through those qualities of refinement which fit him well to discharge its duties. The clergy, I say, are anxious in the struggle for subsistence, which the increasing wealth of the country brings upon them, to be enabled by self-denial, amid many discouragements, to secure for their sons the blessings of that culture which, in their own experience, they highly prize. Therefore, they ask your Lordships to consider their case, and I am sure they will not ask in vain.

But, my Lords, it is not solely, or even chiefly, for the clergy that I would speak. There is a strong feeling on this subject in the community generally, and especially amongst all the less wealthy classes, whose interests it touches. I hold in my hand a Petition in favour of the Amendment which I have the honour to propose, a Petition well worthy your Lordships' attention. It comes from the East of London, and is signed by clergymen, schoolmasters, artizans, mechanics, and others. The list of names presents a remarkable combination. I observe, among others, the name Bradlaugh, journalist. The petitioners desire that by cheapening education in the Universities, Parliament may open access to the highest training to those promising sons of the poor, who, if they could only obtain the advantages secured to their richer brethren, might rise, and become ornaments of the higher professions, and useful servants in every Department of the State. I believe, my Lords, that the feeling on this subject is by no means confined to the East of London, from which this Petition emanates, but that you will find some supplement to the present College and University system is much desired throughout the whole kingdom. It might be visionary to expect that our ancient Universities should ever be crowded again with such numbers of students as are reported to have resorted to them in the Middle Ages, in a totally different condition of society from the present; but, still, I think that their influence over the whole nation might be extended by such a change as I advocate, and, for my own part, I should prefer that they should thus influence the mass of society by attracting more students within their walls, before they begin to pay, as has been proposed, for sending down lecturers to promote education in our large manufacturing or commercial towns.

I hold, my Lords, in my hand a letter explanatory of the Petition to which I have referred. This letter states that the Petition is signed by parents of the boys who have got scholarships in the elementary schools, and my attention is directed to the case of a weaver's son, whose name need not be mentioned, who having obtained the Laurence scholarship from a school in Bethnal Green, has gone to the City of London School, the master of which has told his father that he expects to get him on sufficiently that he may be prepared for Oxford. He and two others from the same neighbourhood are, I am told, the first boys who have got scholarships from elementary schools under recent arrangements; and it is urged that the cheapening of Oxford education would come just in time to be of use to many such. My correspondent informs me that some such opening as I propose is much desired by the more intelligent workmen in the East of London, and that the absence of it under present arrangements is much deplored. Your Lordships will, therefore, see that the Amendment I have proposed is one which reaches far beyond the interests of the poorer clergy, and would secure a boon to all who are not wealthy in all classes of society.

I must apologize for occupying so much of your Lordships' time at this late hour. Had time permitted much more might have been said on the subject I have brought under your notice. It is of great national importance in reference to the social relations of the various classes of the community, and somehow it has scarcely as yet received the attention it deserves in the discussions on this Bill. There is a widely spread desire that University education should not continue to be henceforward, as it has too much been hitherto, a mere aristocratic luxury; but that Oxford and Cambridge should be open not in name only, but in reality, to all who can hope to profit by the education they impart.

Moved, in line 30, after sub-section (7.), to insert the following sub-section:—

"(8.) For diminishing the expense of University education by founding scholarships tenable by unattached students not members of any College, or by paying salaries to the teachers of such students, or otherwise."—(*The Lord Archbishop of Canterbury.*)

THE MARQUESS OF SALISBURY had not the slightest objection to drawing the attention of the Commissioners to the subject included in the most rev. Prelate's Amendment. He thought all the objects of the noble Marquess's (the Marquess of Lansdowne's) Amendment would be obtained by that of the most rev. Prelate, and it would be more convenient if the former were withdrawn.

THE MARQUESS OF LANSDOWNE said, he would leave it to their Lordships to judge between the two Amendments.

Amendment *agreed to;* words *inserted.*

Clause, as amended, *agreed to.*

Clause 16 (Objects of Statutes for Colleges in themselves).

THE EARL OF AIRLIE, who had given Notice to move an Amendment, in page 5, line 2, leave out ("other than the headship"); line 19, after ("them") insert—

"Provided, that it shall be lawful for the Commissioners to annex to the headship of a College any office which is restricted to persons in holy orders, or the holder of which is required to subscribe any article or formulary of faith, or to make any declaration or take any oath respecting his religious belief or profession, or to conform to any religious observance, or to attend or abstain from attending any form of public worship, or to belong to any specified church, sect, or denomination,"

said: The Amendment which I have now to submit to you stands on a somewhat different footing from that which has just been proposed by my noble Friend (Lord Granville). He proposed that it should be obligatory on the Commissioners to throw open all Fellowships and other collegiate offices, with the exception of a limited number. The effect of my Amendment, if your Lordships should accept it, will be to enable the Commissioners to throw open the Headships, but not to oblige them to do so. I confess it was with some surprise that I saw that the Commissioners were to be restrained from touching the Headships. The noble Marquess when he introduced the Bill gave us no intimation that he intended to restrict the powers of the Commissioners in this direction. On the second reading every one of us who spoke from this side objected to the exception made in the case of Headships, and asked the noble Marquess why he had departed in this respect from the precedent of the Act of 1854, and why he had sought to maintain the clerical restrictions on the Headships—for that is the question really at issue—in the teeth of the recommendations of the Commission of 1852. But the noble Marquess not only did not reply to our objections—he did not even condescend to notice them. And it is only now, when we have gone into Committee, and have reached the clause which contained this reactionary provision, that we can hope to obtain from the noble Marquess some statement of his reasons. I have referred to the Act of 1854, and I must say that the limitation in this Bill of the powers of the Commissioners with regard to the Headships is the more striking, inasmuch as in other respects the powers conferred on the Commissioners are larger and more indefinite than the powers conferred by the Act of 1854. In every other respect the Commissioners under this Bill may deal as they please with the Colleges. They may make, for example, such root-and-branch changes in the matter of Fellowships as may alter entirely the composition of the Governing Body. They may suppress any number of Fellowships, and devote the revenues so acquired to founding Professorships to be employed as bribes, as the noble Marquess told us, for the purpose of inducing men of science to enlist on the side of the Church; but they must not touch the Headships nor relax in the slightest degree the clerical restrictions which now exist; and this clause, while it ties the hands of the Commissioners so as to prevent them from removing the present clerical restrictions, yet leaves it open to them to impose such restrictions where they do not now exist. If you look at the fourth sub-section, you will see that the Commissioners may make provision "for annexing any emolument held in the College, to any office in the College, on such tenure as to the Commissioners seem fit, and for attaching to the emolument in connection with the office conditions of residence, study, and duty, or any of them." The Commissioners may therefore annex a Lectureship or Readership in divinity or some office of that kind, which is to be exempted from the operation of the University Tests Act, to the Headship of a College where there is now no obligation to take Holy Orders, or to subscribe any religious test. The clause, therefore, as I have said, enables the Commissioners to impose new tests and restrictions on the Headship, while it bars them from relaxing those which now exist. I think you will now be able to appreciate the spirit in which this clause has been drawn, and the animus which pervades the Bill generally. I do not know whether in moving this Amendment I shall expose myself to the taunt which the noble Marquess threw out against us on the second reading, that we are afflicted by what he called "clerico-phobia;" but, however that may be, I can at any rate retort upon the noble Marquess that in framing this clause he has shown himself more ecclesiastically-minded than the right rev. Bench. Of the seven eminent persons who constituted the Commission of 1852, which unanimously recommended that the Headships should be thrown open, five were clergymen. One of the Members of that Commission was the most rev. Primate. Another was the then Bishop of Norwich. But not only was the change recommended by Members of the right rev. Bench; they have also given their assistance and co-operation in carrying it into effect. A few years since Balliol College abolished the clerical restrictions on its Headship. But this could not have been done without the sanction of the right rev. Prelate who presides over the diocese of London, and who is visitor of that College. So that a measure which these right rev. Prelates have strongly recommended and assisted in giving effect to, appears to the noble Marquess to be so dreadful, and so detrimental to the interests of the Church, that he secures the earliest opportunity of putting a stop to anything now being done in that direction, and of reversing as far as possible what has been done already. I do not think I need detain you at any length by arguing in favour of that which has already been supported by such high authority. It stands to reason that you are more likely to get a competent person if you have a considerable number to select from than if your choice is limited to those who happen to be in Holy Orders. Nobody objects to a clergyman being appointed to the Headship of a College if he is fit for the post. What we object to is that the choice should be restricted, and that you shall run the risk of appointing a man who is not so fit as others, merely because he happens to be in orders. It is obvious that this must be bad for the College, and that it places the individual himself who is appointed over the heads of better men in a false position; and the Commissioners of 1852 point out that you are very likely not to get the best men even from among the clerical Fellows to whom your choice is restricted. They refer to their evidence to show that the person selected is often not the best man, but the Fellow who happens at the time of the vacancy to be the incumbent of the best living, because the Fellow to whom that living will fall next naturally uses his influence in favour of the incumbent, so as to secure the living for himself. There is a practical illustration at this moment in Oxford of the mischief of these clerical restrictions. The case is one which is within the cognizance of the noble and learned Lord opposite, as he is *ex officio* visitor of the College (Oriel) to which I refer. It happens that the Provost of Oriel, Dr. Hawkins, is incapacitated by age and infirmity from discharging the duty of Provost. In these circumstances, it is usually understood for the College to submit three names to the visitor that he may fix upon one. That was done in the case of Oriel, and the noble and learned Lord selected Mr. Munro, a gentleman who, I believe, has gained great distinction at the University, so that by common consent Mr. Munro is the fittest man take the leading part in managing the affairs of the College. But if a vacancy were to occur, Mr. Munro could not succeed to the Provostship, because he happens not to be in Holy Orders, and there is a canonry attached to the Provostship. The College has long desired to have the Provostship detached from the canonry. Some time since they brought in a private Bill for that purpose, but it did not pass. I think the noble Marquess could tell us something about the means by which it was defeated. As regards the feeling of the Colleges on the matter, Balliol and others—among them, I think, Merton and University—have petitioned for the removal of restrictions on the Headships. I do not think now whether, in the face of these authorities I have cited, the noble Marquess will allege the interests of the Church and of Christianity as a reason for retaining these restrictions. I am content to leave him to settle that matter with the right rev. Prelates who have recommended that the Headships shall be thrown open, and who have co-operated in doing so. But the noble Marquess has so often put himself forward as the champion of the Church of England, he seems so thoroughly to have persuaded himself that every one who does not share his views as to the relations between the University and the Church of England must be hostile to that Church, that I should like before I sit down to be allowed to say a word on that matter. For my part, I believe that the Church of England would have been in sorry plight by this time if her safety or her healthy life had depended on her acceptance of the nostrum which has from time to time been prescribed for her by the noble Marquess. The noble Marquess has shifted his ground a good deal from time to time. During the progress of the University Tests Act the noble Marquess seemed to think that the safety of the Church depended on the rigorous exclusion of Dissenters from all University and Collegiate prizes, and on the discouragement as far as possible of the reading of such books as those of Kant and Hegel. Evidently, if it had been practicable, he would have liked to have placed books of this kind in an Index Expurgatorius. Now, no doubt as regards the policy of exclusion, the noble Marquess is still consistent, though he is obliged to work within narrower limits. But as regards Science and Philosophy he has changed his tactics altogether. Science and Philosophy are no longer to be suppressed, but the philosopher and the men of science are to be bought. They are to be bribed by lucrative Professorships and other posts of that kind to give their countenance to dogmas in which they may or may not believe. I do not think this last idea of the noble Marquess can be described as a happy thought, either as regards the philosophers or the Church. I do not think that the men whose lives are passed in scientific research or philosophical investigations are likely to be flattered or conciliated by being likened to those mercenary bands who used to sell their services to the highest bidder. And as to the Church, I do not think that the fate which has invariably befallen every nation and every dynasty which relied on the support of mercenary troops is so very encouraging as to induce the Church to adopt this new-fangled policy of the noble Marquess. But, for my part, I do not think the Church requires to be bolstered up by any of those clever expedients of which the noble Marquess is so fond. So long as the Church of England has that legitimate hold on the affections of the people of England which she derives from the purity of her doctrines, and the virtues and abilities of her ministers, she has no need either to buy off her opponents or to seek to maintain a spurious and factitious influence by monopolizing endowments which ought to be conferred on the candidates, not because they happen to belong to this or that religious denomination, but by reason of their personal merits and fitness.

Amendment *moved*, to leave out ("other headships.")—(*The Earl of Airlie*).

The Marquess of SALISBURY said, the noble Earl had made a long speech which had very little reference to the clause itself, though it dealt with a great number of other subjects. He could not accept the Amendment. At that late hour he would not go into all the arguments he might give; and it would be sufficient to refer the noble Earl to the Bill itself. This question of the Headships was the precise question on which the Colleges touched the Universities. In framing this Bill Her Majesty's Government had been anxious to draw a distinction between the constitution of the University and its relation with the Colleges. The former question had been settled by previous legislation; and by this Bill they did not attempt to interfere with either the government of the University or the government of the Colleges within themselves. The Headships were part of the constitution of the University, and if they were touched the constitution of the University would be modified, and he did not think that the power of dealing with those offices should be placed in the hands of the Commissioners. If the emoluments of the Headships were diminished their character would be altered, and thus a complete change in the government of the University might be brought about. On this ground, therefore, he thought it was not desirable that the Amendment of the noble Earl should be accepted.

Lord CARLINGFORD said, the noble Marquess (the Marquess of Salisbury) appeared to have forgotten that within the last few years Parliament had declared that Oxford was a national and essentially a lay University. But this Bill proposed that the Heads of Colleges should, as far as possible, be restricted to members of the Church of England—which would be inconsistent with a national and lay establishment. The Amendment did not say that they should not be so if the Fellows of the College chose to elect them.

Earl GRANVILLE was understood to refer to the possibility of a conflict between the Colleges, who might desire to remove the restriction, and the Governing Body, who might desire to retain it.

The Earl of MORLEY said, their Lordships were placed in some difficulty by not having before them copies of the Memorials of several Colleges, which the Government had promised to produce. but had as yet not been printed and circulated. He had, however, seen some of them, and they were unanimous in favour of the omission of the words proposed by his noble Friend to be left out. There was no intention to impair the dignity or reduce the emoluments of the Headships of Houses. It would tend to increase their dignity if restrictions on the appointment of the man most competent to fill the position were removed.

The Bishop of LONDON supported the Amendment.

The Bishop of EXETER said, it seemed to him somewhat extraordinary, after the discussion on the 14th clause, when they had refused to take out of the hands of the Commissioners an important matter of principle which many of their Lordships thought ought to be decided by Parliament itself, the authors of the Bill should now contend that the Commissioners were not to be trusted with the application of that principle to the Headships. He must express his great surprise that the Commissioners had not been more carefully selected, so that they might be more thoroughly trusted.

On Question, That the words proposed to be left out stand part of the clause? Their Lordships *divided*:—Contents 55; Not-Contents 44: Majority 11.

CONTENTS.

Cairns, L. (*L. Chancellor.*)

Richmond, D.

Bath, M.
Exeter, M.
Hertford, Mr.
Salisbury, M.

Bathurst, E.
Beauchamp, E.
Belmore, E.
Bradford, E.
Cadogan, E.
Carnarvon, E.
Doncaster, E. (*D. Buccleuch and Queensberry.*)
Feversham, E.
Hardwicke, E.
Harrowby, E.
Jersey, E.
Malmesbury, E.
Onslow, E.
Orford, E.
Shrewsbury, E.
Stanhope, E.
Waldegrave, E.

Hawarden, V. [*Teller.*]
Sidmouth, V.
Strathallan, V.

Bangor, Bp.
Chichester, Bp.
Ely, Bp.
Rochester, Bp.

Bagot, L.
Clanbrassill, L. (*E. Roden.*)
Clinton, L.
Colchester, L.
Delamere, L.
de Ros, L.
Dunmore, L. (*E. Dunmore.*)
Ellenborough, L.
Elphinstone, L.
Forbes, L.
Forester, L.
Foxford, L. (*E. Limerick.*)
Hampton, L.
Harlech, L.
Headley, L.
Howard de Walden, L.
Inchiquin, L.
Massy, L.
Oranmore and Browne, L.
Raglan, L.
Saltoun, L.
Skelmersdale, L. [*Teller.*]
Templemore, L.
Ventry, L.
Winmarleigh, L.

NOT-CONTENTS.

Canterbury, Archp.

Cleveland, D.
Devonshire, D.
Saint Albans, D.
Somerset, D.

Lansdowne, M.

Airlie, E. [*Teller.*]
Camperdown, E.
Cowper, E.
Dartrey, E.
Ducie, E.
Granville, E.
Kimberley, E.
Morley, E.

Canterbury, V.
Cardwell, V.
Halifax, V.

Chester, Bp.
Exeter, Bp.
London, Bp.
Oxford, Bp.
St. Asaph, Bp.

Aberdare, L.
Acton, L.
Belper, L.
Blachford, L.
Boyle, L. (*E. Cork and Orrery.*) [*Teller.*]
Brodrick, L. (*V. Midleton.*)
Carlingford, L.
Cottesloe, L.
De Tabley, L.
Elgin, L. (*E. Elgin and Kincardine.*)
Ettrick, L. (*L. Napier.*)
Foley, L.
Houghton, L.
Lawrence, L.
Monson, L.
Rayleigh, L.
Romilly, L.
Rosebery, L. (*E. Rosebery.*)
Strafford, L. (*V. Enfield.*)
Thurlow, L.
Waveney, L.
Wolverton, L.

Amendment *negatived.*

House *resumed;* House to be again in Committee (on Re-commitment) on *Thursday* next.

OFFICE OF THE CLERK OF THE PARLIAMENTS AND OFFICE OF THE GENTLEMAN USHER OF THE BLACK ROD.

Select Committee appointed: The Lords following were named of the Committee:

Ld. Chancellor.
Ld. President.
Ld. Privy Seal.
D. Saint Albans.
Ld. Chamberlain.
M. Lansdowne.
M. Salisbury.
M. Bath.
Ld. Steward.
E. Devon.
E. Doncaster.
E. Tankerville.
E. Carnarvon.
E. Granville.
E. Kimberley.
E. Sydney.
V. Hawarden.
V. Hardinge.
V. Eversley.
L. Colville of Culross.
L. Ponsonby.
L. Redesdale.
L. Colchester.
L. Skelmersdale.
L. Aveland.

House adjourned at a quarter before Twelve o'clock, to Monday next, a quarter before Five o'clock.

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HOUSE OF COMMONS,

Friday, 31*st March*, 1876.

MINUTES.] — SELECT COMMITTEE — Metropolitan Fire Brigade, *nominated;* Local Government and Taxation of Towns (Ireland), *nominated;* Bridges (River Thames), *appointed;* Post Office (Telegraph Department), *appointed* and *nominated.*

PUBLIC BILLS—*Committee*—Cattle Disease (Ireland) * [94]—R.P.

Committee—Report—Drugging of Animals * [85].

Considered as amended — Mutiny *; Marine Mutiny *.
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AGRICULTURAL HOLDINGS (ENGLAND) ACT—THE ECCLESIASTICAL COMMISSIONERS.—QUESTION.

MR. JOSEPH COWEN asked the honourable Member for West Surrey, Whether the Ecclesiastical Commissioners intend to allow the Agricultural Holdings Act to come into operation on the estates under the control of the Commissioners?

MR. CUBITT: Sir, the agents of the Ecclesiastical Commissioners, in accordance with their instructions, have issued notices to the Commissioners' tenants in the following form:—

> "Agricultural Holdings (England) Act, 1875.—The Ecclesiastical Commissioners have determined rather to embody the provisions of the above Act in future agreements, than to annex them to existing agreements, and we therefore transmit on the other side a notice that your contract of tenancy remains unaffected by the Act. The Commissioners approve the principle of the Act, and are quite willing to add to their contracts of tenancy such of its provisions as may be expedient in each case. We shall be glad to hear from you to what extent you desire to vary your existing contract of tenancy."

These notices are based upon three reports from the Commissioners' surveyors, which have this day, upon my Motion, been ordered to be laid upon the Table of the House.

THE CIVIL SERVICE — WRITERS AT THE CUSTOMS OUT-PORTS.

QUESTION.

MR. M'LAREN (for Mr. COWAN) asked Mr. Chancellor of the Exchequer, Whether the Order in Council of 12th February, Clause 12, applies to the writers at the Customs Out-Ports; and if not, whether its provisions are to be eventually applied to them?

THE CHANCELLOR OF THE EXCHEQUER in reply, said, that the Order in Council referred to in the Question, was not applicable to the writers at the Customs out-ports, the reason being that that Order was confined to those classes of the Civil Service referred to in the 1st and 2nd Reports of the Commission of Inquiry. The 3rd Report of the Civil Service Commissioners related to the out-port officers of the Customs and other Departments, and the writers were included in that Report. The Treasury were at present in communication with the Commissioners of Customs in regard to the position of the out-port officers, and if it were found that the circumstances of the writers at the out-ports were sufficiently similar to those of the persons to whom the present Order related to make it right to extend it to them, it would be so applied.

CHANNEL ISLANDS—THE ROYAL COURT OF JERSEY.—QUESTION.

MR. LOCKE asked the Secretary of State for the Home Department, Whether the Royal Court of Jersey has lodged "au greffe" an Act of Parliament relating to Friendly and other Societies, and not registered same in accordance with an Order in Council?

MR. ASSHETON CROSS, in reply, said, that last Saturday week an Act of Parliament relating to Friendly and other Societies was presented to the Royal Court of Jersey, together with the Order in Council, directing its registration. The Court lodged it *au greffe* for examination; but on Monday last, after examination, the Court, instead of ordering the registration of the said Act, referred it to the States.

NAVY—THE ROYAL YACHT.

QUESTION.

CAPTAIN PIM asked the First Lord of the Admiralty, Whether it is a fact that Captain His Serene Highness the Prince of Leiningen, for the greater security of the Royal Yacht under his command, has applied to have "Martin's anchor" supplied to the "Victoria and Albert," and whether this application was refused; and, upon whom would the responsibility devolve in the event of a casualty arising, such as recently occurred to H.M.S. "Serapis," with his Royal Highness the Prince of Wales on board?

MR. HUNT: It is not the fact, Sir, that any such application has been made by the captain of the Royal Yacht.

LAW AND JUSTICE—"KIMBERLEY *v.* CROSSLEY"—COSTS.—QUESTION.

MR. SERJEANT SHERLOCK asked Mr. Attorney General, Whether his attention has been called to the case of "Kimberley *v.* Crossley," which was tried last week at the Abingdon County

Court before Mr. W. H. Cooke and a special jury, the facts of which are stated in the "Hour" newspaper of the 25th March, as follows:—

> "The plaintiff was an agricultural labourer. The defendant, a baronet, who was riding over the lands of the plaintiff's employer. The plaintiff seized the bridle of the trespasser's horse and demanded his name. He was thereupon beaten by Sir Charles Crossley, first with his whip, and then with his stirrup irons, by which he was so injured as to be unable to work for a long time. A special jury awarded him £25 damages, but the Judge refused to give him costs;"

and, whether this was a constitutional exercise of judicial discretion in reference to costs?

THE ATTORNEY GENERAL, in reply, said, that since the hon. and learned Gentleman gave Notice of the Question, his attention had been called to the case, and to the report of it in *The Hour* newspaper. It would, he thought, be found on investigation that the report did not contain a very full or accurate statement of the facts. It appeared that the defendant, a young man under 21 years of age, and the son of the late Sir Francis Crossley, M.P., was no doubt guilty of violence, and perhaps of excessive violence; but, at the same time, he had been treated with great violence by the plaintiff and a man who accompanied him at the time the occurrence took place. Therefore, he thought the Judge might well doubt whether the finding of the jury was altogether satisfactory, and take into consideration the propriety, as he did, of granting a new trial. As to the costs, he understood that the statement in the newspaper was inaccurate. The learned Judge did not withhold the costs from the plaintiff, but reserved the question of costs till the next Court. As to the concluding portion of the Question, he trusted the hon. and learned Gentleman would not think him guilty of want of courtesy, if he said he did not think he ought to reply to that part of it under the circumstances. In the first place, it was not his duty, because he was one of the Law Officers of the Crown, to subject to criticism the decisions of competent Judges in the administration of justice — gentlemen over whom he had no jurisdiction. It would be most unjust to subject to criticism the conduct of a Judge, especially when he had reason to believe that the Judge had not taken the course which he was supposed to have taken.

MR. SERJEANT SHERLOCK gave Notice that on that day week he should call attention to the full facts of the case and move a Resolution.

CHURCH OF ENGLAND—THE DORE BURIAL CASE.—QUESTION.

MR. OSBORNE MORGAN asked the Secretary of State for the Home Department, Whether it is not the fact that the Rev. J. T. F. Aldred, the incumbent of Dore, near Sheffield, recently refused to inter, with the customary Burial Service of the Church of England, a child, named Sanderson, the son of one of his parishioners, upon the ground that the child (although baptised in the Primitive Methodist Chapel at Dore, had not been baptised by himself; and, if so, whether such refusal is not contrary to Law?

MR. ASSHETON CROSS, in reply, said, he was unable to give any further information than he had afforded on a previous occasion. He had written to inquire into the matter, but had not yet received any answer. All he could say was, that if the facts as stated in the Question were correct such conduct would be contrary to law.

ELEMENTARY EDUCATION ACT, 1870—SCHOOL BOARD TEACHERS.

QUESTION.

MR. RICHARD asked the Vice President of the Council, If he is aware that the School Board of Burston-with-Shimpling, Norfolk, in advertising for a certificated mistress, offer a salary of £60 per annum—

> "with £5, in addition, if the mistress will take charge of the Sunday School, and occasionally play the organ in Church;"

and, whether a School Board can legally make such arrangements and apply their funds to such purposes?

VISCOUNT SANDON: I have no doubt, Sir, that the hon. Member for Merthyr has correctly quoted the advertisement; but he does not tell me in what newspaper it was issued, and I must confess that I was not aware of it till I saw his Question. The House will, I am sure, agree with me that grave inconvenience might be caused if I undertook the censorship of the advertisements of schools boards for teachers. The two other points of his Question I will at once answer. As to the legality of arrangements being made by a school board for their teacher to play the organ in a church or to teach in a Sunday school, we were advised in a somewhat similar case that such arrangements are legal. I must at the same time remind the hon. Gentleman that the Education Department has nothing to do with the Sunday occupation of the teachers, or with their religious views and observances, and that the Department has no duty respecting teachers in public elementary schools under the present law beyond that of seeing that they are lay persons, are certificated, conduct their schools properly and respectably, and give the requisite number of hours of efficient secular instruction in accordance with the Code. As to the second part of the Question, I need hardly say that the legality of charging the rates with payments in return for duties connected with Sunday schools, churches, or chapels, is quite a different matter. With such questions, however, I have no power whatever to interfere officially, and it rests entirely with the auditor under the regulations of the Local Government Board to examine and decide whether the expenditure of school board is such as may lawfully be made. I assume, of course, that the payment in question was to be made out of money raised by rate and not out of any other fund. I cannot but say that if I was a member of a school board nothing would induce me to sanction the burdening of the rates with payments to teachers for matters such as those in the advertisement, which Parliament has not placed under the control of school boards.

HIGHWAY BOARDS.—QUESTION.

Mr. GOLDNEY asked the President of the Local Government Board, Whether he intends in his proposed Highway Bill to afford facilities to Highway Boards to acquire the power and control over county and hundred bridges within their respective districts?

Mr. SCLATER-BOOTH, in reply, said the Highways Bill would afford facilities for dealing with these structures in the manner suggested by the Question. He did not say the Bill would vary the incidence of the charge which now fell upon the county rates; but there were different categories of county bridges which might be dealt with in different ways.

ARMY — THE GUARDS — SPECIAL ALLOWANCES.—QUESTION.

Mr. ARTHUR MOORE asked the Secretary of State for War, What are the other "Special Allowances" besides an allowance for band expenses which the sum of £13,190, voted for the Foot Guards in Vote 1, Sub-head E, of the Army Estimates, is intended to defray?

Mr. GATHORNE HARDY, in reply, said, he would not trouble the House by reading a long list of the "special allowances" in question; but if the hon. Member would move for their production they should be laid on the Table.

ARMY—MOBILIZATION OF CORPS—THE VOLUNTEERS.—QUESTION.

Mr. HAYTER asked the Secretary of State for War, Whether provisional battalions of Volunteers will be allowed to attend the Manœuvres when the two Army Corps are mobilised during the month of July, and, if not, whether any other opportunities for exercise with the Regular Troops will be offered to Volunteer Corps during the ensuing summer?

Mr. GATHORNE HARDY, in reply, said, it was not intended to call out the Volunteers in connection with the Army Corps to which they did not belong; but he hoped that at Aldershot in the month of August opportunities would be afforded to the Volunteers to exercise with the Regular troops.

NAVY — NAVAL INTERPRETERS.
QUESTION.

Mr. HANBURY-TRACY asked the First Lord of the Admiralty, How many Officers have qualified as Interpreters in Foreign Languages under the Admiralty Circular of the 21st July 1874, specifying the number that have taken out 1st and 2nd class certificates respectively; if he will state the number that are now serving and in receipt of the extra allowance as Interpreters; and, whether it is his intention to carry out the recommendation of the Committee on "Higher Education of Naval Officers," of permitting Officers whilst unemployed

> "to visit Foreign Countries for the purpose of studying their languages, placing them on full pay, and allowing the award of Harbour Service Time if on their return they should pass the prescribed examination?"

Mr. HUNT, in reply, said, the number of naval officers who had qualified in the manner referred to was five, of whom three had taken a first and two a second-class certificate. He was unable to say how many were now serving and in receipt of the extra allowance as interpreters. As to the recommendation of the Committee, he was not prepared to adopt it.

PUBLIC HEALTH ACT, 1875 — LOCAL BOARD ELECTIONS.—QUESTION.

Sir JOHN KENNAWAY asked the President of the Local Government Board, Whereas under section 11 of Schedule II. of "The Public Health Act, 1875," it is enacted that a person shall not be entitled to vote at any election of a Local Board, unless he has been rated to the relief of the poor and has paid all rates made on him; whether, in view of the pending elections, he would state if occupiers of houses, the owners of which have compounded for the payment of rates, are entitled to vote under this Schedule?

Mr. SCLATER-BOOTH, in reply, said, the question raised by his hon. Friend was one of some legal difficulty, owing to the fact that an opinion was given by the Law Officers of the Crown six years ago, and that it was now somewhat doubtful whether that opinion could be maintained. He was indisposed to express a decided opinion upon the subject, especially just now, when so many elections were pending; but he would refer his hon. Friend to Sections 7 and 19 of the Assessed Rates Act, 1869, which had an important bearing on the subject. The House might remember that this Act was passed with the view of protecting the franchise of persons whose votes were compounded for.

METROPOLIS — HYDE PARK — THE SERPENTINE.—QUESTION.

Mr. ADAM asked the Secretary to the Treasury, in the absence of the First Commissioner of Works, Whether he will undertake that no further expense be incurred in making mounds and planting shrubberies between the Serpentine and Rotten Row until the House shall have an opportunity of expressing an opinion on the subject?

Mr. W. H. SMITH, in reply, said, he was sure the House would regret the cause of the absence of the noble Lord the First Commissioner of Works, especially under present circumstances. As Secretary to the Treasury he had no authority over the Department of Works when that Department had obtained funds for the carrying on of certain works. In this case the funds were voted specially by Parliament last year, and the work had made considerable progress. His noble Friend desired him to point out that the present condition of the mounds was the very worst they could possibly assume—that all the works now required was to be clothed by shrubs, and that the further progress to be made in the next few days would probably remove all the objections which were at present felt. ["No, no!"] He would convey that expression of opinion to the noble Lord at the head of the Board of Works, who, no doubt, would, as far as possible, meet the views and feelings of the House.

SUPPLY. COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

MONASTIC AND CONVENTUAL INSTITUTIONS (GREAT BRITAIN).

RESOLUTION.

Sir THOMAS CHAMBERS, in rising to move, as an Amendment—

> "That it is expedient that an inquiry be undertaken as to the number, rate of increase, character, and present position, in relation to the Law, of Monastic and Conventual Institutions in Great Britain,"

said, that in the years 1853 and 1854 he brought forward the subject before the House, first in the shape of a Bill, and secondly in the shape of a proposal of inquiry by a Select Committee. The House decided in both cases, by large majorities, that there was a necessity for inquiry; but his proposals were defeated by the usual tactics which could be brought to bear against any private Member. After a lapse of 20 years he once more brought the subject before the House. He had not forgotten that in 1870, on the Motion of the hon. Member for North Warwickshire (Mr. Newdegate), a Committee was appointed for the purpose of a limited inquiry in relation to these institutions. The majority by which that Committee was secured was raised from 2 on the first division to 45 on the second, showing that the feeling of the House was in favour of some inquiry being entered upon. It remained for him (Sir Thomas Chambers) now to show what were absolutely overwhelming reasons for instituting the investigation which he asked for at the present time. It had been the practice, especially of Roman Catholic Members, to ask that individual cases of hardship should be cited, and to urge that no foundation for inquiry had been laid unless such cases could be given to the House. That demand, though natural, was not altogether reasonable. The difficulties in the way of inquiry were one of the great reasons for investigation. It was rather hard on those who desired to inquire, when they alleged the difficulty of ascertaining the facts in any particular case, that that very difficulty should be thrown in their way as an obstacle to inquiry. He had, however, looked back to the debates of 1853 and 1854, and he found that a very large number of cases were then cited; all the details were given, and hon. Members could refer to those debates and see that the inquiry for individual cases of hardship had been amply met. There were two reasons which made the existence of these institutions exceedingly dangerous—one the question of personal liberty, the other the question of property. In the first, individuals were concerned; in the last, the State; and on both these grounds it was highly desirable—nay, absolutely necessary—that there should be the control of law over institutions of this description. In 1853 and 1854 the House showed by the most decisive majorities that it thought an inquiry proper. In those years Monastic Institutions in this country numbered 17, Conventual Institutions 53, and Colleges of the Roman Catholic Church 11; but in 1876 the Monastic Institutions were 99; the Conventual 299, and the Colleges 21. So that there had been not only a large increase, but he believed he could show by statistics, if he were to trouble the House with them, that the rate of increase was greater every successive year. So that, if in 1853 the House of Commons thought such an inquiry necessary, it could not be denied that in 1876 the necessity had greatly increased. For two reasons Parliament should take some notice of these institutions. In the first place, because from their very essence and the very principles of their foundation they involved the restraint of personal liberty. Seclusion was their law, and when a person entered there he not only retired from the world, but took another name. That change of name prevented the parties from being recognized, and no register of such persons being taken by any public authority, there was no available means, no power which could be practically exercised to ascertain whether in relation to the person right or wrong was done. He was very much struck in looking back that morning to the debates in 1853 and 1854 at finding that in some of the speeches of hon. Members sitting on his own side, he was charged in almost every sentence he uttered with having inflicted a wound, or directed an insult, against members of the Roman Catholic community. He denied either then or now being actuated by any such intention. Speaking as a politician on a question of personal liberty, was he to be charged with inflicting wounds or uttering insults? All he could say was he wished to treat the question as a political one, simply as a political one, and as one affecting the principle of personal liberty. Hon. Members asked for individual cases; but inferences from such cases were always liable to the answer—"You select a single case from 10,000. What conclusion can you fairly draw from it?" There was no conclusive answer to that objection. Therefore, though he was going to cite two, and only two, individual instances, he did not base his arguments in the least upon them. He based his arguments on the laws and literature of the Roman Catholic Church. If he found in Roman Catholic countries a state of things existing which called, first for the active interference of the Bishops, then for the employment of the most fervid rhetoric at their command; if he found that to be the state of the case much more than 1,200 years ago, and that from that time to the present all the principal writers of that Church, from Cyprian and Dominic down to the present Pope, denounced particular evils by name, and employed pages and volumes century after century in denouncing them, it was the idlest thing in the world to turn round and ask—"Where is the proof?" Could any one doubt or deny that what he said was true from the time of Cyprian downwards? More than that, if it were possible in an absolutely conclusive manner to show that those evils existed apart altogether from pastoral denunciations, he would point to the law. He did not require to have it proved that murder, burglary, and arson were crimes that might be committed in a country; he would point to the statutes against them. The law itself was the most overwhelming and conclusive proof; it was the action of the whole community, the public legislative action for the redress of a particular evil or the correction of a particular crime. The Tridentine decrees had specific reference to the evils arising from the system, and they declared that no persons were allowed to go out of convents. That fact was well known to all members of the Roman Catholic Church. [Mr. JOHN GEORGE MACCARTHY: No, no!] He should be sorry to think any member of the Roman Catholic Church did not know it, because in them provision was made, in the most distinct terms—

> "That nuns are not to be heard or released, even if they may have gone in against their will, or if, having gone in of their free will, they have afterwards repented and wish to leave."

What said a much more modern authority—the *Syllabus?* In the 53rd Article—

> "The civil Government is strictly forbidden to lend its assistance to nuns who may desire to quit their religious life and break their vows."

Here, then, was proof, as he had said, from the earliest times down to the present Pope, of an undoubted law and a uniform practice in this matter. The law and the Constitution of this country guaranteed personal liberty; but the practice of these institutions was an invasion of the liberties of English men and women. No one wished to disturb those who of their own free will desired to remain in those institutions; but when they desired to come out, there should be some means by which it would be possible to release those who were restrained against their will and contrary to the spirit of the Constitution. The difficulty was to give individual cases, and it was because of the difficulty of making out their case that they came before Parliament. Inquiry ended in darkness. He would, however, mention two cases which had occurred not long ago. One was at the Convent called the "Good Shepherd" at Hammersmith. A person who happened to be on the roof of a house which over-looked the Convent enclosure, saw a nun endeavouring to escape over the wall of the institution. He saw her seized by a man in a priestly robe and four other persons, and forced back into the Convent. [Mr. JOHN GEORGE MACCARTHY: When was that?] That was on the 16th of March, 1875. Every pains had been taken to obtain information, but in vain. It was discreditable that such a thing should happen, seeing that not a single ray of light had been thrown upon the facts. If the statement was a deliberate invention or an unjust reproach, every Roman Catholic should help to let in the light of truth upon it and punish the slanderer. Another case happened at the Convent at Newhall, in Essex, in January, 1875. The witnesses were two labourers in the employment of the Great Eastern Railway Company, who stated that early in the morning they saw a lady almost without clothing running along the railway embankment in great distress and terror. She ran nearly a mile up the line, and claimed their protection, being pursued by persons from the Convent. She was taken from the care of these men back to the Convent. The explanation given was that she was an Irish lady; she had escaped in a fit of insanity, because she did not believe she was in a Convent, and she had been sent back to Ireland. From that day to this not the slightest corroboration had been given to that statement. No witness had been called, no name or address was given, no facts were proved—nothing but the simple assertion that a person, in a state of distraction and terror, had escaped from the Convent, and was dragged forcibly back. There was not an institution in this country, other than a Convent, at which such an occurrence could have happened, where such an explanation would have been thought worth anything. It was no explanation at all, and if not utterly unfounded, it was an utterly unproved excuse for what was done. He should have thought that every Roman Catholic Member would have been as desirous as he was that an investigation should take place, in order that such reproaches, if groundless, might be wiped off, and that those persons who spread the slanders should be exposed. Was there no means by which they could ascertain whether these statements were true? In 1853 and 1854 Lord John Russell suggested that a *Habeas Corpus* might be obtained; but in the case of a nun they could not get at the facts for an affidavit, on which an application for *Habeas Corpus* must be founded. Such a state of things should not be allowed to continue. It was a discredit to the institutions themselves that such things should be said, and that there should be no answer to them, excepting a sneer when the facts were stated. The things complained of were not single instances, but they were a scandal to the Church; and from the difficulty of obtaining information any hon. Member who spoke in that House on the subject spoke infinitely below the facts. There was no one who would not say that if personal liberty was restrained and coercion was employed in such a manner it was not right. He would assume that the great majority of them agreed in that. Religion must be voluntary; conscience, reason, and will were of its very essence; force was absolutely fatal to it. The next question was, whether these were evils of which the State should take notice? Had we no precedent in attempting to interfere with those institutions? Were we not the very last laggards in the whole of Europe to interfere? These institutions, so far as they were monasteries, did not in this country stand outside the law; they stood opposed to it. Every single institution of that kind in the country was a breach of the Roman Catholic Relief Act. How did the matter stand in other countries of Europe? What was the case in France? It was a fundamental maxim of the public law in France that no institution could exist without the sanction of the State as exercised by the civil authority. That maxim was part of the Roman law under the earliest Christian Emperors; and in despite of strong opposition that law was maintained by the ancient French Monarchy, as it had been maintained with slight exceptions down to the present time. In 1618, 1659, and 1749 ordinances were passed forbidding the establishment of new institutions without licence, and suppressing unauthorized institutions. Before authorization there were to be most minute inquiries as to the expediency of the foundation, the interests of third parties, quality of the persons, their power of possessing and alienating property, the validity, nullity, and duration of vows, and all these matters were brought under civil control. Yet abuses crept in; more than one-fourth of the property of the country was in mortmain, and public wealth suffered. He mentioned it simply as an historical fact that the Revolution of 1789 swept them all away. Napoleon I. was hostile generally, maintained the suppression, and even abolished these institutions in the countries he annexed. The Government of the Restoration dared not restore them; nor the Government of 1830, nor that of 1848. The second Empire was at first favourable to them, but was soon obliged to limit them. Yet, without authorization, they had multiplied beyond measure. According to the French law, all must be authorized and be under the civil power; vows could only be for five years; a member could not be retained against his will; all members retained their civil capacity; authorization was necessary before any donation could be received, and before any alienation or exchange could take place. Authorization might be, and often had been, withdrawn, on which the institutions were dissolved and dispersed, as were the Jesuits in 1828, the Trappists in 1831 and 1846, and the Capuchins in 1839. Nevertheless, numbers did exist unauthorized, preferring to sacrifice protection rather than incur obstruction. Revenue was a great loser, as information could not be obtained, and the loss increased yearly. The property of the institutions was withdrawn from circulation, and the most careful civil regulations were always thought necessary as a safeguard for families and society. In Germany the laws of the States had varied. At the beginning of the century these institutions were suppressed and their property confiscated. Many had since been established, and disputes between them and the civil power were constant. In Italy all institutions were suppressed and their property forfeited between 1866 and 1873. In Sweden no order of monks or nuns, nor convent, could be founded; Jesuits and monastic orders were not tolerated. In Catholic Belgium only Sisters of Mercy were allowed, and vows must be for five years only. The administration of property was under the Code Napoleon, and annual accounts were submitted to the Minister of Justice and Religion. The houses were subject to all police regulations, and the complaints of inmates were heard before the ordinary tribunals. Since 1830 the number of inmates had increased immensely. In Spain the institutions were suppressed in 1836 and 1837; they were re-established to some extent under a Concordat in 1851, and they were suppressed again in 1868. In Austrian-Hungary such institutions could be established only by an Imperial law, and only Austrian subjects could enter them; and any institution would be dissolved if in its object, or in the contents of its statutes, it was opposed to the interests of public order, to morality, or to the administrative requirements of the State. Members could withdraw and be restored to all their rights of liberty and property. Superiors had to make an annual return of their members to the civil authority of the district. No external force was allowed in discipline, nor any discipline permitted to hinder obedience to the civil laws or the exercise of civil rights. All gifts and legacies required civil sanction, and annual returns of the property were made. In all gifts the rights of third parties were strictly protected; and if illegal proceedings were suspected inspection was instituted by the civil authorities. In reference to all police arrangements as to sanitary measures, construction of buildings, security against fire, and general safety, institutions were subjected to the general laws and authorities; and they were restrained from over-stepping their sphere of action, and liable to fines and penalties for so doing. The inference he drew from all these facts was that there was not a civilized State in Europe which had not found it necessary for hundreds of years to interfere by legislation with these institutions, and which had not found it necessary to increase the stringency of its legislation year by year; and yet, in defiance even of these precautions, the evils that were found to exist were very much complained of indeed. If, then, it was true that the whole of Europe had found it necessary to take these measures, what was there in the circumstances of England to make such action less important? There was no country in the world in which the increase of such institutions had been so great and so rapid as it had been here. It was not only the number, but also the wealth of these institutions which made the subject one of public importance. And was there nothing in the change which had taken place in the attitude of the Pope with reference to these institutions to render such precautions of serious importance? Up to recently these institutions were under the control of the Roman Catholic Bishops when they chose to interfere, and of the Roman Catholic priesthood. So far there was a local jurisdiction, and that was a state of things which was far less undesirable than that which had been established by the changes that had recently been made. Now the jurisdiction of the Bishops and priests was practically extinct, and every institution was affiliated to, closely connected with, and absolutely dependent upon, the despotic authority of the Vatican; and there never was a time when it was more important that Parliament should interfere to prevent any wrong to individuals or to the State by reason of the secrecy which was amongst the ruling principles of the system. If the answer was correct that no evils resulted either to individuals or to the State, inquiry would show, and Roman Catholics themselves ought to support such a Motion as that now before the House, seeing that there was throughout the country not only a prevalent, but a daily increasing, suspicion of such institutions. Such a suspicion or conviction in the minds of thousands and millions of the people of the country was of itself a sufficient reason for investigation, which should have the effect either of disclosing evils and correcting them by legislation, or of removing all those suspicions and conclusions by evidence, showing that those institutions were not liable to the imputations which had been cast upon them. He trusted he had not said a word that was offensive to the members of the Roman Catholic faith, and would conclude by moving the Resolution of which he had given Notice.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "it is inexpedient that an inquiry be undertaken as to the number, rate of increase, character, and present position, in relation to the Law, of Monastic and Conventual Institutions in Great Britain,"—(*Sir Thomas Chambers,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. SHAW said, he rose for the purpose of opposing the Motion of the hon. and learned Gentleman the Member for Marylebone, and in doing so must express his regret that the leadership on this question had been snatched out of the hands of the hon. Gentleman the Member for North Warwickshire (Mr. Newdegate). It seemed to suit both the hon. Gentleman and himself (Mr. Shaw), and the hon. Member for North Warwickshire had a kind of personal property in it, and he had gained a great reputation as the champion of Protestantism. For himself, he (Mr. Shaw) did not suffer in the eyes of the great Catholic constituency which he had the honour to represent by having placed his name on the Notice Paper as opposing the Bill introduced on the subject by the hon Member for North Warwickshire. He expected the Bill would have gone on for the natural life of the present Parliament, and it would have served equally himself and the hon. Gentleman when the next General Election came. He therefore thought that the sudden disappearance of the Bill had been the means of inflicting a double injustice. He would, however, warn the hon. Member for North Warwickshire that it was an exceedingly dangerous thing to allow his mind constantly to meditate on one subject. He (Mr. Shaw) was talking the other day to a friend of his, a dignitary of the Roman Catholic Church, and his friend asked him who were the two gentlemen who were attacking the institutions of his Church. He replied that the Mover of the Resolution was a lawyer. "Oh!" said his friend, as much as to say that his place in the other world might be regarded as fixed. He (Mr. Shaw) next expressed the feeling which he entertained for the hon. Member for North Warwickshire as an honest man, and he added that he had a very high esteem for him, both as a man and a gentleman. "Well," said his friend, "I am very glad to hear it;" whereupon he rejoined—"I am surprised at that, because I think that if I found a man attacking my Church, I would rather he should be a scamp than an honest man." His friend said, "The reason I am glad of it is this—I am quite sure his mind is working on the subject, and an honest mind never worked on anything connected with our Church without ending in the Church itself." However, they had now the subject before them upon the Motion of the hon. and learned Member for Marylebone, and he wished to apply to it for a few moments the test of common sense. What results could be expected from the inquiry, and who was to make it; in fact, the hon. and learned Gentleman had answered his own case, because he had given the House statistics on the subject. It was very easy to calculate the rate of increase of these institutions during a given number of years, but had the hon. and learned Gentleman inquired whether the number of monasteries and convents at present in existence were in disproportion to the wants of the Roman Catholic Church. He was quite sure that the hon. and learned Gentleman did not wish at all to be unfair in this matter, and he should remember that many of the objects affected by Protestants by means of societies, and ramifications of various kinds, were practically carried out by the modest nuns of the Catholic Church. Those ladies were the teachers of missionaries, the teachers of the higher class schools, and they attended the poorer classes in sickness. Had any increase taken place in the number of these institutions beyond what was necessary for the religious wants of the Roman Catholic Church? He (Mr. Shaw) thought not, and that, if anything, the contrary was the case. Then as to the relation of these institutions to the law, the hon. and learned Member referred to the Committee which sat a few years ago; the Report of that Committee was in the Library, and they had given a very clear statement of the law respecting these institutions. He thought that the hon. and learned Member was mistaken in saying that convents were illegal by the Emancipation Act. [Sir Thomas Chambers: I referred to monasteries.] Although that Committee did not make any recommendation in their Report there was no doubt that the weight of evidence and the feeling of the Committee were in favour of making a change in the law with respect to the property of these institutions, and he was sure that if any strong Government would take up this question, the Roman Catholics would not object to a change of the law as affecting their property; but it was very difficult for any Government to take it up. The very moment that the Government stirred in it, the whole subject would be agitated, and religious strife would be aroused all over the country. The hon. and learned Gentleman had said that there was an immense amount of feeling on the subject in this country. Well, his (Mr. Shaw's) own opinion was that the feeling on the subject had been dying out in recent years, and he would put it to the common sense and good feeling of the House, whether, at that time of the day, it would be wise for Parliament—following the precedent set in other countries—to stir up in this country religious strife and unpleasant feeling. The real sting of the Resolution lay in that part which referred to the character of the inmates of these institutions. It implied on the part of some hon. Gentlemen in that House a feeling that there was something wrong going on in these institutions, and the hon. and learned Gentleman rummaged history for the last 200 years to try and prove his case. He, however, had brought nothing within their own time in support of his position, except the two absurd cases to which he had referred. He (Mr. Shaw) had lived in a Catholic country for many years, and looked at these institutions dispassionately, and as a Protestant, he must say, that of all others in the Catholic Church, they were really those which were of the greatest use in a social and religious point of view. He knew several ladies who had been in these institutions and had come out of them, and some of them were married and were mothers of families. He knew many gentlemen, some of them his most intimate acquaintances and friends, who had sisters and daughters in these institutions, and he asked any man of common sense in that House was it possible in these days of universal knowledge, when what was whispered in secret was published upon the house-top, that anything like serious wrong was carried on in them? Why, the very walls would speak of it. Would the friends and relatives of the inmates bear it for a moment? The statistics of the hon. and learned Gentleman disproved his own case, for if these institutions had so greatly increased within the last 20 years, was it possible that they would have done so in spite of wrong and immorality practised within them? It would be revolting to human nature, and insulting to Roman Catholics, to think that such a thing could take place. Did they think that the poorer people of Ireland, who had most sensitive ideas of religion, and from among whom many went to act as servants in these institutions, would not know of any wrongs within them, and would not at once bring them before the world? Would it be said there was any disinclination to do that? He had known cases of attempts to rescue property from convents, and those interested in those institutions had not hesitated to bring their case before the Common Law of the land. He believed they might safely leave the question to the law of the land and the common principles of our nature. The human nature of Catholics was not so different from the human nature of Protestants as to enable them to stand by and allow these institutions to reflect discredit upon them. He was therefore sure the right feeling of that House would give an emphatic denial and negative to the Motion of the hon. and learned Gentleman.

Sir JOHN KENNAWAY said, that it was satisfactory to find that in consequence of the fulfilment of the pledge given by the Government to lay before the House the laws relating to these institutions in foreign States they were now able to approach the question by the light of very important information. He was, at the same time, aware that Englishmen were not apt to be wholly guided by the precedent of foreign countries, preferring in many respects their own insular ideas. Still, when they saw that, almost unanimously, action had been taken by foreign and Roman Catholic Governments in relation to this question, they were at least bound to give to those precedents very full and earnest consideration. From the books which had been laid on the Table it would be learnt that those Governments had held the danger of these institutions to be so great both to the public welfare and the personal liberty of the subject that they had felt it necessary to make very stringent regulations with regard to Conventual and Monastic Institutions, or else to suppress them altogether. It must be admitted that wherever those laws had been made the Roman Catholics had managed either to ignore or evade them, for proof of which it was not necessary to go further than France, where the existence of these institutions was not allowed without authorization; yet notwithstanding that they were found to have sprung up. In Germany, also, stringent regulations had been put in force against them; and it was for the House of Commons to consider whether in this country some regulations should not be created in respect to them. The view taken by the hon. and learned Gentleman opposite and his hon. Friend the Member for North Warwickshire (Mr. Newdegate), as he understood it, was that they ought to respect the motives of those who entered these institutions, and to do nothing in the way of intrusion upon the privacy of the inmates of these establishments which would shock the most sensitive; but that in the interest of the public and in defence of that personal liberty which it was the proud boast of England to maintain on the deck of a British man-of-war, on British soil, or in a convent, there should be some inquiry as to the numbers and character of those institutions. It might be asked why, if the law could not be enforced, irritation should be caused by attempts to enact them; and he admitted that that was a difficult question, which Governments did not like. But he did not agree in the statement of the hon. Gentleman who had just spoken (Mr. Shaw) as to the want of public feeling in this country on the subject. It had been strong enough to insure majorities again and again, but not to force any Government to act fully and satisfactorily with regard to the question, and they had been able one after another to slip their heads through the noose which successive majorities had made for them. Therefore, to a considerable extent the country slumbered at present. The hon. Member for North Warwickshire, Session after Session, Cassandra-like, poured forth his plaint; but it fell on unheeding ears, and the country ignored the rapid advance in the wealth and organization of these institutions throughout the land. It forgot that Cardinal Manning had said—"The time will come when England, Rome's last and proudest conquest, will fall before her feet." It neglected the warning veiled under the garb of fiction which had been addressed to it from the trenchant pen of the right hon. Gentleman the author of *Lothair*, and the more passionate appeal of the right hon. Gentleman opposite the author of *Vaticanism.* Moreover, if they looked abroad they saw the great Chancellor of the German Empire engaged with a foe impervious to his "blood and iron," and across the Atlantic there were men, with the President of the United States amongst them, who foresaw that a great struggle on these points might possibly arise, as had been fully shown in a paper in the current number of *The Fortnightly*, entitled, "The Catholic Peril of America." Then if these hon. and right hon. Gentlemen were not wrong in their forecast—and who would say their writings were the outpourings of mere idle dreamers?—surely it was wise and prudent to look forward, remembering that a time might come of unreasoning panic. Such times had been, as in the day of Titus Oates, when it would be remembered a Roman Catholic was not sure of his life for a single hour; and it might be that senseless fury would yet lash us on into a religious war. It would be judicious, then, in a quiet time like the present, when arguments could be weighed and inquiry calmly conducted, that they should be satisfied as to the character of these institutions. The Roman Catholics said the suspicions largely entertained were unreasonable. Let them not confine themselves to mere assertions; but let them come forward as men, and while saying that these institutions were necessary to the carrying on of their religion, show that the guarantees for the personal liberty of the members were secure—that the doors were not bolted from inside. They would do well to prove that the bolts and bars, which everyone could see, were only intended to keep out intruders, and that from the inside there was full liberty of egress as well as ingress. If they also undertook that some register should be kept of the number of these institutions, and if necessary stringent regulations should be enforced, they would have met the case fairly and honourably. But so long as nothing but mere assertions were offered in answer to allegations, there was nothing inconsistent with charity on the part of the supporters of this Motion in asking for an inquiry.

MR. O'REILLY: Sir, the inquiry which the hon. and learned Member for Marylebone (Sir Thomas Chambers) asks this House to affirm expedient is three-fold. I will say a few words on each of the three heads, slightly varying their order. He asks first, for an inquiry as to the number and rate of increase of Monastic and Conventual Institutions in Great Britain. But he has himself supplied abundant information on this head; and neither he himself, nor any one else, doubts its accuracy. *The Catholic Directory*, published every year, supplies the fullest details: and to use the language of Mr. Montague Tigg, in Dickens' novel, every possible information on that point could be had "for the ridiculously small sum of 1*s*." Secondly, "the present position of these institutions in relation to the law." This point is well known, and was fully inquired into and clearly stated by the Committee of 1870. Their position as regards property and the Law of Mortmain was fully examined into and reported on by the Committee of 1844. Another inquiry was made by a Committee in 1852, and in 1870 there was the Committee of which I was a Member, and whose inquiry was not only exhaustive, but exhausting, for it was protracted through the hottest days of July. Of that Committee the hon. and learned Gentleman was himself a Member; although for some inscrutable reason he did not favour us with much assistance, but steadily absented himself. That Committee reported that—

> "With regard to the institutions themselves, as they are not corporations they cannot receive, hold, or possess any property except by the aid of trustees. . . . . A universal practice has grown up of conveying to several individuals, as joint tenants, all property which is meant to be enjoyed in common by such institutions. The absolute ownership both at law and in equity is vested in those joint tenants. As each joint tenant dies, his share survives to the others subject to the payment of succession duty. On the death of the survivor the property passes to his heirs, next of kin, devisees, or legatees—in obedience to the ordinary rules of English law." And further, "It was urged that the law against perpetuities, the Law of Mortmain, the law against undue influence, and the laws protecting personal liberty, none of which were objected to by the Roman Catholic witnesses, were amply sufficient to check all abuses in Conventual and Monastic Institutions, and to prevent all improper and excessive acquision of property by them."

There remains the third head of inquiry proposed by the hon. and learned Mover of the Resolution. An inquiry into "the character" of these Institutions. Now, that inquiry as to character may have a two-fold meaning. "Character" may mean their nature and constitution as laid down in their rules and constitutions, and developed in their history. On this head there needs no inquiry to obtain information; it is to be found in every great library. "The rules" of all, from those of St. Macarius and St. Basil in the 4th century, which are about the oldest extant, to those of the latest Congregation in France, are all published. Their history has been written alike by friends and foes. From the massive Benedictine annals to the latest miscalled History of the Jesuits, all are to be found, by those who desire to study them, in our public libraries. The hon. and learned Gentleman has appealed to Greek and Latin literature to prove, not that inquiry was needed; he declared that that was superfluous; but that these institutions had always been such as to call for legislative action for the redress of evils and the correction of crime. Now, Sir, I am not going to dispute the hon. and learned Gentleman's scholarship, he gave us no means of judging it, for, although he spoke vaguely of Cyprian and Basil, he carefully avoided a single quotation or a reference: but this I can tell him, that the one quotation he professed to make from the Syllabus, does not occur in it, and is not a correct translation of any passage in it. The hon. and learned Gentleman then went on to quote the legislation of foreign countries to prove that we stood alone in our abstinence from interference with these Institutions. I, Sir, have also studied the legislation of foreign countries on this subject, and the conclusion I have come to, and which I wish to lay before the House, is this—That in proportion as in any country the principles of freedom are understood, and personal liberty respected, exactly in that proportion are such Institutions left unshackled by special legislation. The hon. and learned Gentleman has quoted France. But for centuries France has been the hotbed of legislation interfering with personal liberty. All unlicensed associations are unlawful; every class of men, every action, is regulated. Schools cannot be opened without authorization; meetings cannot be held; workmen cannot form associations, nay, cannot move from town to town without a *livret,* which is in reality a passport. Is this the legislation we are to imitate? But France, gradually as she learned the lesson of personal freedom, has left the Monastic Institutions unmolested, and, as is shown in the Papers in the Library, they prefer the rule of the common law to privileges and regulations. In Germany, up to a very recent period, the Religious Orders were free, by the common right of free association, and the public legal recognition of the Catholic religion. They had, with one or two exceptions, no privileges; religious communities, as associations fell under the common law of the country; and vows might be taken in private or in public. I admit that since the Chancellor of the German Empire has thought it politic to commence a persecution of the Catholic religion, the Religious Orders have had more than their share of that persecution. I call it a persecution of the Catholic religion advisedly, because at this moment, in Prussia, the administering the sacraments of the Catholic religion is a criminal offence; and hundreds, I should rather say thousands, of Bishops and priests are suffering fine and imprisonment for that offence. But if we turn to Belgium, which has so rapidly increased in prosperity since she became free—and where that increase in prosperity has been synchronous with an immense increase in religious houses; in 1856 they were 1,000 with a population of upwards of 14,000; we find that they exist in virtue of Article 20 of the Belgian Constitution which says—

> "Belgians have the right of associating; this right cannot be subjected to any preventive measures. These associations can neither acquire nor possess as such, and are moreover subject to the common law, like all other citizens."

The hon. and learned Gentleman has referred to Italy, and as the Italian legislation on this subject is little understood, perhaps the House will allow me to explain it a little at length. The hon. and learned Gentleman said that in Italy the Religious Orders were abolished: now, that statement is inaccurate. The laws on the subject are in the Library, and I am indebted to a gentleman well known in England, the Cavalier Cadorna, formerly Italian Minister here, for the fullest explanations on the subject. A law was passed against the Jesuits in 1848 and has been subsequently extended to all Italy. With regard to all other Religious Orders the legislation has been as follows. Previously to 1851 religious communities were in Italian law "*enti morali*" (what we would call corporations) and held their property as such. All these corporations were abolished, and as corporations have no heirs, the State seized on all their property. This, no doubt, was an act of high-handed robbery, which I certainly shall not justify; but it was very different from legislation against the religious life. The Italian law at least professes to give absolute freedom of individual action and of association: therefore, all vows may be freely taken; although not recognized or enforced by the civil law: religious communities of men and women may be formed, may live together, may associate for any purpose, and may possess property as individuals or as associations; being, in this respect, in the same position as an insurance company. If now we turn to the United States, a country which resembles our own in its respect for personal freedom, we find there religious communities unshackled by special legislation. But, Sir, the inquiry into "character" really aimed at by Motions like the present is not one into their organization or public character; but into what I may call the personal character of their inmates, and into certain vague but odious charges made against them; and this is the inquiry which we lay Roman Catholics—the guardians of the honour of our brothers and our sisters—feel bound to resist; because no sufficient cause has ever been shown to warrant their being put upon their trial. What the hon. and learned Member really means is, that, as certain allegations have been made by himself and others as to their tendencies, their occult modes of action, the results of what he called their enforced seclusion, Roman Catholics must come into Court and clear themselves. But have these charges been proved? Is the ordinary law insufficient? We maintain it is not. I remember one of the favourite cases of the hon. Member for North Warwickshire (Mr. Newdegate). It was one of the alleged forcible detention of a nun. It came before Mr. Justice Wightman, and he declared that the Common Law was sufficient for the protection of personal liberty. The hon. and learned Member for Marylebone (Sir Thomas Chambers) has favoured us with two new cases, selected, no doubt, with his legal experience, as the strongest to be found. I know nothing of these two cases; but I do know a good deal about the places where they are said to have occurred. What is the first? It is that a workman employed on a roof at Hammersmith said he saw a nun trying to escape over the garden wall, and that she was forced back. Now, there are two convents in Hammersmith. One is that of the Sœurs de la Misericorde, who go out to nurse the sick in their own homes; every nun of which is therefore in constant intercourse with the outer world. The other is that of the Good Shepherd. It is a refuge for penitent women, with a large laundry attached; and contains a large number of persons who would certainly not be entrusted with fearful secrets. The other case is alleged of Newhall. Newhall is a great school filled with young ladies and children of the upper ranks, whose parents are in daily intercourse with them; certainly a place where secret imprisonment would be impossible. I would suggest to the hon. and learned Member that when next he brings forward such illusory cases, he would do well to choose for the *mise en scene* localities more remote and less known. He speaks of "total seclusion." There are very few convents the inmates of which do not go out in the discharge of their duties; but even in the case of what are called cloistered convents, although the nuns do not now go out, yet they are not debarred from intercourse with externs; their friends, their servants, their physician—and in the great majority of cases that physician is a Protestant—all freely communicate with them. But is it the fact that the public in England know nothing of the inner life of convents? We all remember a remarkable case, tried a few years ago before the Chief Justice of England, in which every minutest incident of a convent interior was detailed in public. I refer to the cause of Saurin against Starr. Hon. Gentlemen may form their own judgment of the parties to that suit. Some may think Miss Saurin vain, tiresome, undisciplined, very unfitted for a convent life. Some may consider Mrs. Starr ill-tempered or tyrannical. But was there one shadow of evils like those commonly alleged? One fact stood out prominently—Miss Saurin complained not of forcible detention, but of unwilling expulsion. "Total seclusion!" Almost all our monasteries and convents are placed in the centre of our great towns; they have hospitals, orphanages, refuges, schools attached to them; they are known to all; their works are manifest. Do any hon. Members want to know what a convent is like?—what its inmates do? Let them walk to Leicester Square, and they can see the Convent and Hospital of the Sisters of Charity; or, nearer still, they can visit their orphanage in Victoria Street, or their *crèche* in Bulstrode Street. Or let them go into the fever dens of Westminster, or the garrets of St. Giles, and they will meet the nuns, and hundreds of the poor can tell them how they live and what they do. There is no precedent for putting communities on their trial merely because the air is thick with idle rumours and vague suspicions. There have indeed been public inquiries into private lunatic asylums; but that was after the public had been shocked by proved abuses; into labour in factories and mines, when the evils had been proved to exist. The latest instance is the inquiry into unseaworthy ships. But the House will recollect how many cases were proved, not vaguely alleged, before that inquiry was undertaken. Besides, these inquiries were undertaken on the responsibilty of Government, and with a view to legislation. There still linger on our Statute Book laws against Monastic Institutions; but does a responsible Government propose this inquiry with a view to revise these laws? There is indeed one recent precedent for a proposal like the present. A short time ago grievous charges of corruption and injustice were publicly made against several of our highest judicial functionaries and other persons. These charges were ventilated at public meetings, and propagated by artful declaimers. Great masses of the people were induced to believe them; petitions almost as numerous as those presented by the hon. Gentleman the Member for North Warwickshire, asserting their truth and demanding an inquiry, were presented to this House. Their prayer was supported by the hon. Member for Stoke (Dr. Kenealy), and seconded by the hon. Member for Peterborough (Mr. Whalley), who used to be the Seconder of these Motions about convents. Did the distinguished personages so attacked accede to the inquiry? Did my hon. and learned Friend (Sir Henry James) rise up in his place and say, on behalf of the Lord Chief Justice of England and the Chief Justice of the Common Pleas—"There is no truth in these charges. They are baseless, and no shadow of proof is brought; therefore we court inquiry." No; they relied on their character and the country backed them. "Whenever," they said, "any substantial case is made out, calling for an answer, we will give it." And this is the reply of the Catholics to the Motion of the hon. and learned Gentleman the Member for Marylebone. But behind all these Motions for inquiry there is a further object, as has been shown in the speeches to-night; a desire not to correct abuses, but to check and to suppress the institutions themselves. Protestant feeling runs strong against monks and nuns, and against what we call the religious life. Such a life is believed to be prejudicial to society, and legislation is desired to check or even to eradicate it. Now, let me ask the House to consider would legislation of this nature be just? Would it be consonant with sound policy? Would it even be possible? For centuries we have been learning the lesson that religious convictions should be left free; and actions prompted by those convictions, as long as they do not interfere with the rights of others, be left uncontrolled. Now, the religious life—the life of monks and nuns—is the natural outcome of the Catholic religion. It is the practical expression of our religious convictions, and the exercise, in action, of our religion. But more; is it possible by any legislation to abolish the religious life, to suppress monks and nuns? The essence of the institution consists in the three vows of chastity, poverty, and obedience. A vow is a mental resolution, an inward resolve. Can laws control the mind? But if law cannot control the mental act, can it restrain its execution? Take the first vow, chastity. Can you make laws against chastity? Can you make marriage compulsory? The vow of poverty? Can you compel a man to retain the use of his property? or, if he retains the legal control, can you prevent his spending it as directed by another whom he choses to obey? Why, even the Jewish Sanhedrim did not attempt to enforce such restrictions on the early Christians, when they sold all they had and laid the price at the feet of the Apostles. But there remains the dreadful vow of obedience! The vow to obey the Superior in all things lawful and commanded by the rule. But can the law control the voluntary obedience which one man yields to another? Can it prevent him from acting freely, as regards all external compulsion, in compliance with the directions of another whom he desires to obey? But it may be said, at least, we can prohibit the life in community. How is this to be done consistently with our laws? Shall we pass a law that not more than a certain limited number of unmarried men or women shall live in the same house? But if the Oratorians, above a certain number, are to be forbidden to live in their house at Brompton, what about the Albany in Piccadilly? One thing we can do, it has been done elsewhere, we can prohibit the wearing of the religious dress. This, too, would be somewhat troublesome. We should have to make a law reciting that it should be a misdemeanour to wear any of the dresses in the Schedule annexed; and then, with the aid of milliners to compile a list—it had better be illustrated with coloured prints—of all the habits of the known Religious Orders. But let me remind the House of the old proverb *Cucullus non facit monachum*—a Jesuit will be a Jesuit still, though in an ordinary coat. It is not the white veil that makes a Sister of Charity, but her life of charity. As long as men believe that St. Paul was inspired when he wrote—"I say to the unmarried, it is good for them if they so continue, even as I." So long will they observe chastity. As long as they receive the words of Christ—"If thou wilt be perfect, go sell what thou hast and give it to the poor." So long will they cultivate voluntary poverty. History, too, teaches us the same lesson; that laws cannot exterminate the Religious Orders. Allusion has been made to the Spanish laws abolishing the Religious Orders. But did monks cease out of Spain? No, the laxer members went home and led a quiet unmarried life. The more fervent, the true monks, put off the habit of their Order, but not its rule, sadly bade adieu to the convents which were no longer their own, gathered together by twos and threes, by fives and tens in wretched lodgings, and observed their vows and the rules of their Order as strictly as in its palmiest days. Our own history teaches that the gallows of Tyburn did not make Jesuits to cease out of England. There was a man who smote Catholicity in these countries with a remorseless and unrelenting fierceness which would have satisfied even the hon. Member for North Warwickshire (Mr. Newdegate). I mean Cromwell. In Ireland he struck hard and he struck long; for a monk to be discovered was to meet a speedy death. Yet not for a day did the great Orders of Dominicans and Franciscans cease out of Ireland. Nay their ranks were recruited in the very furnace of persecution. Let me give one instance. The soldiers had burned the Monastery of Multifernham in Westmeath, slain some of the monks, and carried off others prisoners. Amongst these was a young novice, who refused to avail himself of an opportunity for escape, in order that being sent to the prison where the Superior of his Order was confined, he might make his solemn profession and take the vows. And the vows of St. Francis were taken in that prison as fervently as in the oldest monastery of the Order. I am confident this House will not embark on an undertaking which centuries of penal laws and a Cromwellian persecution failed to accomplish—the proscription of the religious life, an undertaking which would be equally impolitic and unjust. And although we will not subject our brothers and sisters to the insult of asking for an inquiry to prove that they are not guilty of crime; they, and we, court that inquiry which is at once the most searching and the most lasting. The inquiry of a life, spent in the midst of our nation, in the discharge of public duties, and the rendering of public services, in teaching in reforming, in nursing. Facts are stronger than words. A Sister of Charity may be a poor disputant but she is a great argument. Our nuns will live down prejudice; and we know how strong prejudice is. The sick poor they have nursed will plead for them. The wanderers they have reclaimed from the paths of sin will bear witness to them. The thousands of children they have taught unto salvation will bring to them that, which was declared to be "perfect praise which shall overcome their enemies;" and because we believe that, in the long run, Englishmen will judge the tree by its fruits, we are content to leave our most valued institutions to be tried by that test.

EARL PERCY disclaimed any intention of charging the Roman Catholic inmates of religious houses, as a body, with any dereliction of those duties which they believed incumbent on them to perform. He was quite prepared to admit that much good had been done by them in past years and was done by them now both in this and other countries. But for his own part he could never see why, in the present state of England, these works should not be carried on without the exercise of vows and the religious life incumbent upon those who adopted that line of life. [*Laughter.*] Hon. Gentlemen might laugh, but similar institutions had been started by Protestants, and hon. Gentlemen might admit that they had done good among the poor. The speech of the hon. Gentleman who had just sat down (Mr. O'Reilly) did not grapple with the point at issue. The hon. Gentleman had spoken of the facilities for obtaining admission by externs into convents. But the question was whether that admission enabled people to know what exactly went on within those institutions. The hon. Member for the county of Cork (Mr. Shaw) said that Roman Catholics objected to inquiry, because it was asked for by those who were hostile to them on the ground that there was something wrong. Well, he presumed there would be no desire to institute those inquiries unless they thought there was something wrong; but if everybody refused to have inquiries made on that ground he would like to know what investigations would take place? Therefore, to refuse it on that ground did not seem reasonable. He had over and over again supported the Motion in former Sessions; but as time went on, he felt more and more doubtful about the propriety of doing so, not in the least because he doubted that there was much to be mended and much to be complained of, but because, first of all, he believed they had got all the facts wanted for any action that might be necessary; secondly, because he doubted whether any Government would ever grant such a Commission as they were seeking; and, thirdly, because, supposing it granted, he doubted whether it would have any result. He must say that the British public was more easily taken in on this Roman Catholic question than on any other with which he was acquainted. The country was essentially Protestant, and as far as it was not indifferent or infidel, which to a certain extent he believed it to be, what it meant by Protestantism was a sort of insane terror of the Pope, priests, vestments, lights, transubstantiation, incense, and so forth —questions which the people did not in the least understand, and if they did they would not be competent to decide. But they could not be got to see that the real danger of Popery in this country was that the Pope was gaining ground over the civil rights of the people. When, after a long period of public life, the right hon. Gentleman the Member for Greenwich woke up one fine morning and discovered that the claims of the Pope, whose interests the Liberal Party had been serving for the last 40 years—[*Cheers*]—when the right hon. Gentleman found out that the Pope was winning back what had once been his, and had never really abandoned his old position—the country said—"What a great discovery the right hon. Gentleman has made." Why, the fact had been asserted in this country and in that House continually, but the country would not believe it. It was no new discovery. He could only regret that those who cheered that sentiment on the other side of the House were unable to see how far their action had aided in bringing this about. He had said he did not think this inquiry would have any effect, even supposing it were granted. But why? That had been pointed out by the hon. Gentleman who had just sat down—because the strength of Roman Catholicism was in the consciences of its adherents. Protestantism had no organization which could compete in that respect with Roman Catholicism. They had taught the right of private judgment, which in Protestant mouths meant that every man was to decide exactly as he liked. So long as they had no cohesion, it was impossible to bring any Protestant organization to compete with Roman Catholicism, unless it was supported by an Establishment. And that was one of the reasons why he had always opposed the disestablishment of the Irish Protestant Church. He was not going to make vague charges. He said they might have any inquiry, but they would not get at facts. He knew that much went on which had not been cited, but he also knew that they were extremely difficult to prove, and that was one reason why he did not quote them. He knew he could not prove them, and he would not give hon. Gentlemen opposite the opportunity of refuting arguments which he could not prove. If anything was to be done with these institutions he feared there was no other way of doing it than that of totally suppressing them; and upon this ground—that when a man entered a monastery, he became civilly dead and was for all mundane purposes useless. That was a position which no citizen had a right to assume, because every citizen was liable to be called upon to serve his country. They did not know who was and who was not in a monastery, and men had no right to withdraw themselves from the calls which the State or the body politic might make upon them. For the reasons he had given he could not vote for the Motion of the hon. and learned Gentleman.

MR. SERJEANT SHERLOCK said, he would endeavour, although this was a religious question, to treat it calmly and dispassionately. The hon. and learned Member for Marylebone (Sir Thomas Chambers) had based his Motion on two grounds, the first having reference to personal liberty, and the second to property. With regard to the latter the great increase of Monastic and Conventual Institutions, might to a certain extent justify the intervention of the State to prevent too large an accretion of property in a direction in which it would cease to circulate among the public. In

1854, the hon. and learned Member for Marylebone electrified the House and alarmed the country by prophesying in 25 years the necessary increase of these institutions to the number of 3,000 or 4,000; that there would be 60,000 nuns in them, and an incalculable amount of property attaching to them. That was a formidable prospect; but, so far as could be learnt from the hon. and learned Gentleman's statement to-night, after the lapse of 22 years there were only 299 of them, and the hon. and learned Gentleman had forborne to mention the number of their inmates. With regard to the two instances which had been brought before the House to illustrate the necessity of personal investigation in this matter, they had been answered by that venerable nobleman, Lord Russell, who told him that the law of *Habeas Corpus* was strong enough to deal with any alleged grievance; and when the hon. and learned Gentleman told them, in presence of the Home Secretary, that no investigation had taken place, if that right hon. Gentleman had felt it his duty to institute an inquiry, no power within or without the convent could have prevented an investigation. The matter might have been probed to the bottom; but it was, perhaps, felt that further investigation would not serve the purpose of those who professed themselves anxious to obtain it. With regard to the convent at Newhall, in Essex—which was formerly one of the palaces of Henry VIII.—he (Mr. Serjeant Sherlock) knew something of it personally. His own daughter had been educated there; and if there was such a thing as restriction of personal liberty in a school of 60 or 70 young ladies, was it not probable that it would be communicated to their parents? It would be their deepest interest to prevent the existence of such restrictions, and when they did exist the Catholic community would be the first to insist upon removing them, without waiting for the assistance of the hon. and learned Member for Marylebone or the hon. Member for North Warwickshire. The increase of these institutions had not been commensurate with the increase of other bodies, and in point of wealth it afforded a miserable contrast. The increase of other religious institutions was shown by the fact that they were now 90 in number in this country. In Scotland, out of a population of between 3,000,000 and 4,000,000 there were about 600,000 persons who belonged to no religion, and he thought that hon. Gentlemen who took so deep an interest in conventual institutions might occupy their time equally well in trying to attach this large body of people to some religious denomination. With reference to the Reports from foreign countries bearing upon this subject——

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present—

MR. SERJEANT SHERLOCK proceeded to say that comparisons had been made between these institutions in this country and in foreign countries, but there was no analogy between the two cases. Brazil had been referred to, and he found on reference to the Ordinances, that the Government of that country was authorized to incur expenditure in obtaining Capuchin missionaries from Italy, and, of course, when they arrived there, they were centred in the capital, and became a part of the institutions of the country. Here they were not recognized. A monastery had no status, but was simply in law a club. The members of it had their civil rights if they chose to excrcise them, and they did exercise them. They claimed to be on the list of electors, and he had canvassed them from time to time. To say, therefore, that they had no civil rights, was a misapprehension. This subject had received more discussion in that House since 1853 than almost any other, but it had not progressed during that time, and the Government had not found it advantageous to legislate upon it. He thought it might safely be left to them to take it in hand if they saw occasion to do so.

MR. MARK STEWART said he was surprised that the hon. and learned Member who brought forward this Motion did not receive a single cheer from the Liberal benches; and he asked himself whether there were no Liberal Members left in the House after the last General Election? The Committee of 1871 only had reference to property. It was forbidden to inquire into the conditions of entry and the personal liberty which the inmates were supposed to enjoy. The arguments of the noble Lord the Member for North Northumberland (Earl Percy) were contradictory of each other. The noble Lord said he would not mention certain cases which were within his knowledge, because he was not able to prove them. But the very existence of these cases, which could not be investigated, or only partially so, was the justification of this demand for inquiry. Neither could he agree with his hon. Friend the Member for East Devon (Sir John Kennaway), as he understood him, that the Government had no grounds on account of pressure of public opinion for dealing with the question. He knew there were great difficulties in the way; but he would remind the House that last Session this subject produced the largest number of Petitions with the largest number of signatures, the total number of the latter being 183,572; and he must express his surprise that the Irish Roman Catholic Members did not support the Motion, if only to ward off the suspicion that attached to these domiciles, and raise them in the estimation of the public. Protestants considered them as remnants of the Middle Ages, and did not wish to see them increase in number. The objection to inquiry—that it would be an interference with personal liberty —was open to the answer that it would be no greater interference than had been already sanctioned in reference to lodging-houses, public-houses, mines, shops, and factories. There was precedent enough to justify the Government in taking such steps as would satisfy the country, and this was no more than might be expected of a Government which had the credit of being a thoroughly Protestant Government, and of having earnestly at heart the preservation of the Constitution of this country; and the great majority of the people expected them to maintain the Protestant character of these Realms. It had been said that a writ of the Court of Queen's Bench would open the doors of any convent; but they all knew the difficulty of obtaining the requisite information for such an application. If he were a Roman Catholic he should insist on a system of registration, believing that that would go a long way towards satisfying the country that the inmates were not tyrannized over; that it would work well here as it did in Germany and France; and if such a system were devised by the hon. Members who had relatives in these institutions, he believed the House would gladly pass a measure to give effect to it. He was satisfied that the conscientious conviction of the people of this country was so decidedly on the side of inquiry that the question ought not to be dealt with by Counts-out. He could assure them that although the question might be ignored to-day it must come up again next Session. There was an immense amount of feeling in the country on this subject, and it would make itself felt at the next General Election. There could be no doubt that in the presence of the enormous increase of Monasteries and Colleges they ought to be placed on a better footing than they were now, more especially as in almost every country in Europe—namely, in France, Italy, Switzerland, Germany, Austria, Russia, Spain, Norway, and Sweden — the different Governments had investigated these institutions, abolishing some and placing the others under various regulations. The wonderful increase in the number of Roman Catholic seminaries which had taken place in England was an alarming fact, which the Government ought to take into their consideration, as it would inevitably tend in a few years to some measures which would affect the large amount of land which these establishments possessed. He found that in this year 1876, as compared with 1829, the date of Catholic emancipation, there was an increase of 99 Monastic Institutions, 283 Conventual, and 19 Collegiate. He found also that symptoms of alarm of the enormous increase of Roman Catholic institutions were appearing in America, in the United States, and he believed were causing great apprehension in the minds of statesmen there. From 1850 to 1860 that church had increased in wealth about 189 per cent; from 1860 to 1870, 128 per cent: while the wealth of the whole country increased from 1850 to 1860 125 per cent; and between 1860 and 1870 86 per cent. In *Gibson's Ecclesiastical Almanack* it was calculated that in nine years, from 1859 to 1868, while Protestants increased from 21,000,000 to 27,000,000, or 29 per cent, Roman Catholics increased from 2,500,000 to 5,000,000, or 50 per cent. He called attention to these figures to show there was cause for inquiry into this great theocratic power. He made these remarks in no spirit of personal feeling against the Roman Catholics, and he hoped every Roman Catholic Member would give him credit for that. The country considered the Roman Catholic Church a universal, political power, which was foreign nowhere, and at home everywhere, and the House ought not to shrink from the duty which it was now called upon to perform in regard to these institutions.

SIR JOHN KENNAWAY, in explanation to the hon. Member for Wigtown, said, he did not state that the Government had no grounds for taking up the question, but that, although the principle of inquiry had been several times affirmed by the House, public opinion outside had never been strong enough to force the Government to take it up.

MR. A. MOORE said, he wished to point out with reference to the cases brought forward by tbe hon. and learned Member for Marylebone (Sir Thomas Chambers) that no proof was given in either case that the lady seen escaping was a nun. Both institutions where the occurrence was said to have happened were places of education. He wished to know why no magisterial inquiry had been instituted. The names of the alleged witnesses were known, and there would have been no difficulty in putting the civil power in motion. The hon. and learned Member had appealed to the testimony of France, and told them of the numerous restrictions under which the convents were permitted to be opened there. But in spite of all that legislation, the French had accepted the system; and all the public associations for relieving the poor, the sick, and distressed, were in the hands of the religious Bodies. In 1808 there were only 196 houses of men in France, and now there were 2,011 communities of men. There were 100,000 religious women, and 20,000 religious men. Where a country accepted these institutions, and the State reorganized them, it was a strong argument in their faviour. With regard to Germany, there had been only one Order expelled from that country, and not several as had been said. In the United States there were no laws against religious and Monastic institutions, and the political system of that country recognized so fully the doctrine of religious liberty that was doubtful whether it would be within the rights of Congress to make such a law. The hon. and learned Member for Marylebone and the hon. Member for North Warwickshire had had the most ample opportunities afforded them for inquiry. A Select Committee sat in 1870-71. They sat 15 times, and 29 witnesses were summoned before them, 16 being called at the express request of the hon. Member for North Warwickshire. The Committee reported in 1871, and when the Report was drawn there were three Catholics and eight Protestants present; but there was nothing in that Report which indicated that there was any case for further investigation. He, for one, objected to have the privacy of those institutions intruded upon on unproved charges which had been made that evening, not for the first time, because the hon. Member for North Warwickshire had some years ago brought before the House the case of a convent in the Midland Counties where he said some atrocious acts had been committed to which he could produce 17 reliable witnesses to testify. But the following day a letter appeared in *The Times* from the brother of the lady who was implicated in the charges made by the hon. Gentlemen, asking him to repeat outside the House that which he had stated within its walls. The hon. Gentleman, however, never substantiated or withdrew those charges. [MR. NEWDEGATE: What is the name of the convent?] He was speaking of the convent over which the sister of Sir Constable Clifford then presided, and he must express his regret that any Member of that House should make charges which, if not by the Rules of the House, at least as a Gentleman, he was bound to substantiate or withdraw, and yet have acted as the hon. Gentleman opposite did in the case to which he was referring. He hoped he might add that the House, having regard to the feelings of Roman Catholics whose relatives were inmates of convents, would not hesitate to reject the Motion.

COLONEL EGERTON LEIGH said, he was of opinion that there should be no place in the land where persons could be put away without their existence or non-existence being known. It was asserted that many of these establishments were in large towns. That was all very well; but stone walls were thick, and things might happen within them that ought to be known. He, therefore, wished that when a person was confined, either by his own act or that of others, there should be some sort of supervision exercised over him, so that he might be enabled to recover his freedom, if he desired it, or be protected from cruelty if necessary. In saying thus much, however, he must not be supposed to be advocating the suppression of monasteries or nunneries, for we lived in a free country. At present there was a strong feeling that certain practices in monasteries and nunneries ought to be stopped. Inspection would prevent wrong, if any existed, and remove suspicion where it was unjust.

Dr. O'LEARY said, he should not have taken part in the debate, but for the fact that, as a medical man, he possessed a thorough knowledge of what went on in 26 monasteries and nunneries in Dublin, the county of Dublin, and other parts of Ireland; consequently he spoke with a very high degree of authority. The hon. and learned Member for Marylebone (Sir Thomas Chambers) had commenced by asserting that these institutions were exceedingly dangerous, but he offered absolutely no justification for that statement. Why should the hon. and learned Gentleman, without a scintilla of evidence, state that institutions were dangerous which were composed of the highest ladies in the land, and men of the purest minds, who gave up their lives in order to alleviate the misery of the poor? Only two hypothetical cases had been adduced that evening in support of the proposal for inquiry. The proposal, he might remark, had, year after year, been ignominiously rejected in the House of Commons. Then, the hon. and learned Gentleman asserted that the foundation, the essence, and the root of these institutions involved total seclusion. Let him tell the hon. and learned Member, from his personal experience, how total seclusion was secured to these poor ladies, some of whom had been represented as pining in anguish and waiting to be relieved by the House sending Commissioners to their assistance. As medical attendant at various convents he was asked when ladies presented themselves as postulants, whether they were in a fit condition of health to perform arduous manual labour. He might add that some members of the proudest noble houses of England had passed through his hands thus for a whole year. The postulant had no permanent home in the convent; she might be turned out at any moment. At the expiration of a year he was again called in to declare whether they were fit to continue in the Order. Some would say to him—"I am much stronger than you think, although I look so thin. If you once give me a hope, and allow me to be admitted I shall be so delighted, and if you come again this day week you will see how joyous my face will be." Indeed at times he had even gone beyond his medical knowledge and said—"Through mercy, I will allow you to be admitted." Two years more must elapse before the final vows were made. Until then a lady had no claim on the convent, and she must do a deal in order to become a professed member of the institution. After an experience of 18 years he felt convinced the most ingenious mind could not suggest anything but the love of God beaming in the countenances of professed nuns. The hon. and gallant Member opposite (Colonel Egerton Leigh) had said that convent walls were thick; but it was also true that the gates were never closed, or at least they were readily opened when anyone knocked at them. As to the new names assumed by nuns destroying their identity, he might mention that their relatives and friends always inquired for them by their family names, although it was, no doubt, the fact that in most Orders they adopted, from pious motives, the names of favourite saints. In all cases, however, in which that occurred it was not for any purposes of deception, but as a mark of their total severance from the outside world. Why should their voluntary seclusion be interfered with by curious and inquisitive persons? He was not surprised that no discoveries or irregularity or injustice had been made, because there was nothing to find; and he was unable to agree in the illogical conclusion of the hon. and learned Member opposite (Sir Thomas Chambers), that because nothing had been found there must be something there. He hoped that the religious toleration which now happily existed in this country would never cease to exist, and that the glorious amity of feeling which it occasioned among members of different religions might never again give place to discord through the attempt at such legislation as alone would satisfy the hon. and learned Member. Proposals of the kind were not unlikely to disturb the good feeling at present existing between England and Ireland,

and he trusted the Motion would be rejected.

MR. HARDCASTLE said, he had not intended to take any part in the debate were it not for a point which happily did not touch the religious question with which the discussion had been so much encumbered.

Notice taken that 40 Members were not present. House counted, and 40 Members being found present,

MR. HARDCASTLE went on to say that the strongest argument he had heard in favour of the Motion had been advanced by the hon. Member for Cork County (Mr. Shaw). It arose out of the case of a lady who, having escaped from the Convent of Newhall, claimed the protection of two labourers, but was taken back against her will with a certain amount of force. The hon. Member had said that this lady was unquestionably insane. But if that was so such a statement only went to show that these institutions were unlicensed lunatic asylums. If the facts were as stated there had been a direct violation of the law, for no proof had ever been adduced that the establishment had ever been registered, or that any reference had been made to the registrars, either to legalize the detention of the lady, or to allow her to be removed from one place to another. One such case afforded strong ground for inquiry to secure the mere personal liberty of the subject, and it was possible that there might be other instances of the same kind. There was nothing in which the law showed more care than in the protection of alleged lunatics, and he believed that a person had not a right to detain a member of his own family without communication with the authorities. No proof had been given that other ladies might not be detained at Newhall. He thought the attention of the Home Secretary should be drawn to this point. He understood the law to be simply this—that within 48 hours of the occurrence of any case of lunacy, notice must be given to the justices, who held a preliminary inquiry, and regular proceedings were afterwards taken under their sanction. There was nothing of that kind in this case. The lady had been detained, according to the statement of the hon. Member, for 12 years, and no inquiry had been instituted. Who could tell how many other ladies were detained in those institutions under similar circumstances? The number of ladies in convents was altogether a mystery; but, taking the average at 20, the 300 convents would give 6,000, and he was not aware that there had been any application to the justices for an order in lunacy in one single instance connected with those establishments. As he had said, this did not trespass on the religious question. His attention had also been turned to the great infrequency of inquests, and he believed there had been only three instances in which coroners' inquests had been held. He thought, referring entirely to the secular aspects of this question, there was a case for inquiry, and that the Motion of his hon. and learned Friend the Member for Marylebone was a right one, and for his part he should certainly give his vote in support of it.

MR. RICHARD SMYTH: I have no intention of detaining the House with any lengthened argument on the Motion now before it, but I merely wish to say that, whilst I belong to one of the straitest sects of Protestants, and represent a constituency in the North of Ireland in which Protestants constitute four-fifths of the whole electorate, I am utterly opposed to this Motion, because I regard it as re-actionary and inconsistent with the principles of civil and religious liberty. I know that the agitation for the inspection of Monastic and Conventual Institutions is out-of-doors carried on in the name of liberty; but, although the hon. and learned Member for Marylebone (Sir Thomas Chambers), and the hon. Member for North Warwickshire (Mr. Newdegate), may know little or nothing of the motive in which that agitation originates, it is really nothing more or less than a sectarian movement, having for its object the curtailment of the influence of the Roman Catholic religion, and the advancement —I will not say of Protestantism, but of a species of Protestantism, which in the outside world is not distinguished either for tolerance or intelligence. I am quite ready on all proper occasions and by all legitimate means to propagate my own creed as best I can, but I could not conceive any measure more thoroughly futile—I might say mischievous —for such a purpose, than the plan proposed by the hon. and learned Member for Marylebone. What good could this do to Protestantism? It could only irritate those of a different religion, and it would irritate without suppressing. If, for instance, the conventual establishments of this country are to be considered detrimental to the liberty of the people, then I cannot see any logical standing ground for dealing with them except that of suppressing those establishments. Is any one prepared to carry out that principle? [Mr. WHALLEY: Yes.] Well, it appears the hon. Member for Peterborough is the one hon. Member of this House who is willing to push the Motion to its logical conclusion, but I suspect that his isolated wisdom is in this instance, as in others, the exception which proves the rule. The prevailing idea is, that it is inexpedient to suppress convents and monasteries by main force, and if that be so, I cannot understand why hon. Members of this House, and why the country generally should be subject to agitation on a question which cannot eventuate in advantage to the people at large. If the hon. Member could turn this House into an auxiliary to the Protestant Alliance, he would have accomplished very little to promote the principles of the Reformation. Convents are to all intents and purposes private houses, and if I am told that cruelties are sometimes inflicted on members of conventual communities, I have simply to say in reply that cruelties have often been exercised in private families, and yet I suppose the time has not yet come, even in the judgment of the hon. and learned Member, for appointing Commissioners to pay domiciliary visits, and set to rights anything they find out of joint in family arrangements. As to the argument of the hon. Member for South-east Lancashire (Mr. Hardcastle) with regard to the illegal case of the escaped lunatic, I wish to make an observation with respect to that. He says in that case the inmates of the convent broke the law; that they should have given notice to the nearest magistrate that a case of lunacy had occurred within their walls; and, because they broke the law hypothetically in this case, he argues that an inspection of convents should be instituted that any such illegality may be discovered. But, is there no violation of the law in private houses? If the law has in some particular instances been violated, are we to institute a system of domestic surveillance in order that irregularities, in cases of this kind, may in every instance be discovered; because, Sir, unless we are prepared to go that length, it seems to me that the argument of the hon. Member for South-east Lancashire falls entirely to the ground. I have never seen any evidence or heard anything that satisfies my mind that in any case has a nun been retained in this country within the walls of a convent contrary to her own consent, or under any pressure, except that of her own conscience. I know of no such case, except in story books. No doubt, we have read books that profess to be written by liberated nuns, and what does that prove? Why, that the nuns were liberated before they wrote them. How does that show that these persons could not make their escape from these establishments? It proves that there must have been liberty given to these persons to take their departure from their supposed prisons whenever they thought fit. The case of Miss Saurin has been more than once referred to, and no doubt it is a strong case; but it is a strong case against the Motion, for she could have taken her departure from the convent in which she was living at any time. It is true she complained of having suffered indignity within the walls of the convent, but there was no desire on the part of the authorities of the convent to detain her, and if all the Commissions in England had been sent to the establishment in Hull, they would have left affairs just as they found them in relation to Miss Saurin, and if you were to send out Inspectors to-morrow, and employ them for a month or for three months in instituting a rigid inquiry into the convents of England, you would leave matters just as you found them, and you would not find that there was a nun the less in all broad England. But the hon. Member then referred to foreign countries. I am very much surprised that a Gentleman of his eminence and ability—and I should say his tact—in endeavouring to conciliate the opinion of this House should have adduced here, and in this debate, any argument from foreign countries to overbear the judgment of an English House of Commons. I am myself an Irishman, but I do not, Sir, consider England a foreign country, and we are legislating in this

House not for a foreign country, but for free England and free Scotland, and, if my Friends from Ireland will allow me, I should also say for free Ireland. [" No, no !" *from the Home Rule Members.*] Well, at all events we shall be agreed that the application of the measure foreshadowed in the Motion of the hon. and learned Member for Marylebone—should it be applied to Ireland, as, doubtless, it would be by-and-by—would not contribute much to Irish liberty. We are not now, Sir, legislating here for foreign countries, and whatever others may do, I refuse to admit that the political action of this country should be moulded after the political pattern of France and Spain; and if any one, following the example of the hon. and learned Gentleman, is disposed to quote the example of foreign countries where personal liberty is concerned, I tell him that he is only quoting something which it would, in all likelihood, be much better for us to avoid than to imitate. I said I would not detain the House, and I shall keep my word. In opposing the Motion, I believe I am giving effect to the wishes of my constituents, even in the North of Ireland. But whether that be so or not, there is something of more consequence to me, and that is that I am giving effect to my own opinion.

MR. GREENE said, he thought the last speech furnished strong arguments in favour of the Motion, and particularly the declaration that Commissioners could ascertain nothing by months of inquiry. To it, he would simply reply by making use of the old saying that—" Where there was no sin there was no shame." He would not say anything against the Roman Catholic religion; but they were there to represent their constituencies, and his constituency felt deeply on this question. He rejoiced that the efforts to count out the House had been unsuccessful, because the question was one on which there was a strong feeling and a growing one in the country, and he was perfectly willing to accept the decision which hon. Members might come to on the subject. He did not profess to be a a prophet, but he was very much mistaken if the people of this country were not daily growing more and more earnest on this subject. They had no desire to suppress nunneries; but they did desire to see that check placed upon them which was placed upon them in Roman Catholic countries. The attempt to draw a defensive analogy from the case of lunatics utterly failed, because it was illegal to detain a lunatic in an unlicensed house, and there was no doubt that persons became insane in convents. He thought it extremely unwise on the part of hon. Members who supported these institutions to object to a proper registration of their inmates; because that, at all events, could not offend the most sensitive person, and it would at least enable parents to ascertain whether missing daughters had or had not entered these institutions. He had been told by a French lady that when a lady went into a convent in France her name was registered. They had institutions in this country wherein young ladies who had been lost by their friends were found. On one occasion, when conversing with Dr. Manning on this matter, he told the rev. gentleman that the opposition which Motions of the kind met from Roman Catholic Members made the people think there was something wrong which they did not like to acknowledge. If his own character were to be challenged, there was nothing he should like better than public refutation. He had no "insane fear of the Pope," and did not believe that the right of private judgment meant infidelity. It meant the holding and maintaining of your own opinions, in spite of Pope, priest, or anybody else; and possessing that right he would, so long as he had a seat in that House, state what he believed to be correct. Surely, it was an abuse of terms to speak of civil and religious liberty in connection with the restraints of conventual seclusion. We recognized the principle of affording special protection to women in factories, and he did not see why the application of the principle should not be extended to those who had even voluntarily immured themselves in convents. The straits to which the opponents of the Motion were driven was fairly illustrated by the way in which they had fastened upon the word "character" in the Resolution, which had no relation whatever to persons, and referred exclusively to institutions. The simple question was, whether persons who were incarcerated and who were unable to protect themselves, should have opportunities of expressing their desire to come out into the world again to those who would see that their right to liberty should be vindicated. Although he did not suppose there would be a majority in favour of the present Motion, he believed the time was coming when the country would speak out more freely, and when those who now opposed such inquiries would be defeated. He could not believe that out of the large number of women who entered these convents, there were not many who did not desire to come out, and who would do so if they had the opportunity. The people of England were becoming more and more determined, and he was confident that eventually a Motion of this kind would be carried by a large majority. He would therefore advise the Catholic Members to accept the Resolution, before the feeling of the country demanded a stronger measure.

SIR GEORGE BOWYER said, that the issue raised by the Motion was a very narrow one, and that the cases which had been brought under the notice of the House that evening had signally failed to furnish a ground on which to justify it. The case of Miss Saurin had been alluded to; but it proved the very opposite to that for which it had been brought forward as an example. Miss Saurin did not want to leave a nunnery; on the contrary, she wished to remain a nun, and it was because she was not permitted to do so that the subsequent proceedings took place. She did not say—"I won't be a nun;" what she said was, "I will be a nun," and they, not finding her a desirable person, would not let her remain one. The hon. and learned Member for Marylebone wanted to know certain particulars concerning Monastic and Conventual Institutions in Great Britain, and he (Sir George Bowyer) might inform him that those particulars were ready at his hand, without any inquiry for ascertaining them. He held in his hand a little book called *The Catholic Directory*, which gave the name and address of every Roman Catholic clergyman, and a list of all the monastic institutions in this country. It also gave a list of all the societies for women, and the charitable institutions under religious societies, with the rule under which they lived—whether Benedictine, Dominican, or otherwise. Then if the hon. and learned Member wanted the rate of increase, he had only to go over two or three of these books published in former years, and he would find what he wanted. He would see, also, that of all these institutions there was only one that was really contemplative in its character. With that exception they were institutions dedicated to works of charity, to hospital work, to the visitation of the poor, and also to education. He himself had founded two such institutions, one in London, the convent attached to the Hospital of the Knights of St. John of Jerusalem, and the other, to which were attached large schools, in the neighbourhood of Abingdon, Berkshire, where his property was. They consisted of a poor school and a school for young ladies, and the poor school was considered so good that many Protestants sent their children to it. If the hon. and learned Gentleman would like to inspect these convents, he had only to use his (Sir George Bowyer's) name—although that would not be necessary—and he would be received with every courtesy by the ladies; and when he had finished his inspection he would, he was certain, feel the greatest respect for these ladies and for the work they were doing. There was one charitable institution at Hammersmith, where 350 old, poor, and bedridden people were maintained by ladies who begged from door to door for scraps to feed them with, and who actually lived on what these poor people left. Then the hon. and learned Member wanted to know the present position of these institutions in relation to the law. Well, every one knew what that was, and was it reasonable to appoint a Committee when the result must be *nil?* There seemed to be a complete misapprehension as to the nature of the nunneries in England. It happened that hardly any of them belonged to the strict Orders; their interior organization and life were better known than those of private dwellings, and if any of the inmates found that their vocation did not lie in that direction, a dispensation could readily be obtained from the Bishops. The vows, therefore, were not of a dreadful and irrevocable character, neither was the life that of the inmate of a cell, nor a solitary confinement like that of a prison. There were several ladies known to him who found that a convent life was not their vocation, and who, having been set free by the Bishop, were now in the world. There was, therefore, nothing so dreadful or so irrevocable in a convent life as some hon. Members supposed, and every convent had a school attached to it. It was also supposed that these convents were under the power of some priest or Bishop; but the House would probably be surprised to hear that convents were in fact female republics. They elected annually their Superior, and all the officers down to portress. They elected those who were admitted, and every lady had to undergo three ballots, at which one ball excluded—first as postulant, then as novice, and lastly as nun. They governed themselves, and they managed their own affairs. Any priest who presumed to interfere with the interior government of the house would get himself very well snubbed. They were perfectly independent of any clergy, provided they observed their own rules. The popular ideas about convents were founded upon stupid romance writers, who dishonestly described a state of things which did not exist. Every nun had a perfect right to write to a Bishop under her own seal, and nobody else could see the letter. If she had anything to complain of, the Bishop would at once cause inquiry to be made. Besides that, once every year they had an extraordinary confessor, not connected with the house, to whom she would be free to make complaints. These ladies could not be put upon or tyrannized over by anybody whatever, and they generally exhibited a strong sense of their own rights. To show how groundless were the stories which were got up with reference to the lot of these sisters, he had only to refer to the well-known case of "Sister Agnes," of Newhall, about whom there was at one time an outcry, but who on inquiry being made, turned out to be not a sister at all, but a kitchen maid who had stolen a lot of property and run away. He maintained that the law of England was strong enough to reach any house, whether a convent or not, and if anything wrong were done there would always be somebody ready to call in the interference of the law. He deprecated the notion that we were to go to foreign countries for precedents to guide us in dealing with this matter. [*Repeated cries of* "Divide!"] He would conclude by urging that our principles of freedom ought to be applied not only to those whose creed was that of the majority, but also to those whose views might be unpopular and contrary to the feelings and wishes of a great portion of the people of the country.

MR. GREGORY said, that in his opinion the inquiry which took place in 1870—taking its scope and the objects embraced—really ascertained all that it was necessary to know on this subject, and certainly the hon. Member for North Warwickshire (Mr. Newdegate) had his fair share of the time of the Committee. They examined solicitors, trustees, and directors, and all other witnesses whom they thought could throw any light on the subject, sat for 21 days, and asked between 4,000 and 5,000 questions, and therefore the duties of that Committee could not be considered light or the decision hasty. They inquired into the character, as well as the property, of Conventual Institutions, and exhausted all the means of investigation; and as a result of that inquiry, they found that the state of the law as to property with regard to convents and monasteries was very anomalous and unsatisfactory, and should be put on a different footing; these bodies being allowed to hold property directly, instead of by means of secret trusts, to which they were driven by the law of superstitious uses. After the very full inquiry made by the Committee, he must think another was not necessary, and therefore he should not vote for the Motion, but remain neutral, leaving the House to say whether or not it was satisfied with the work they had done. At the same time, there could be no doubt these institutions were somewhat anomalous in their character, inasmuch as they involved seclusion, and, to some extent, restraint; and that being so, there was a general feeling in the country that there ought to be some control over them — some regulation and some mode of ascertaining what their regulations, conduct, and mode of dealing with the members of them were. He thought the time for legislation had arrived, and the time for inquiry was past. These institutions were, in fact, educational or charitable institutions. Persons entering these institutions, and becoming professed, ceased to have any individual rights of property; any property belonging or accruing to them merged in the property of the community. He would suggest, therefore, that these institutions should be treated on the footing of other charitable institutions, and should be brought under the administration of the Charity Commissioners. This body had at its disposal a machinery by means of which it was in the habit of investigating and regulating similar institutions throughout the country. It might ascertain the amount of property possessed by each community, and from time to time might make Reports respecting it. Some legislation of this kind would not be harassing to the Roman Catholics, and might, he thought, be fairly and properly applied. He hoped the hon. and learned Gentleman would withdraw the Motion, and that either he would frame a Bill on the lines he had suggested, or that the Government would deal with the subject in this way.

Mr. WHALLEY expressed his surprise and regret that the hon. Member for East Sussex (Mr. Gregory), though he gave an elaborate account of the proceedings of the Committee of 1870, including the number of witnesses and the aggregate of the questions they were asked, had not stated that the Committee reported further inquiry into the Conventual and Monastic Institutions of the country was necessary. In so doing, the hon. Member had virtually disposed of the whole of his argument that further inquiry was unnecessary. A similar proposal to that just made by the hon. Member was before the House some years ago, and was received with great turbulence, and without any favour on the part of the Roman Catholics. As to the Report of the Select Committee, it seemed to him that the ingenuity of counsel and solicitors had been exercised in covering up illicit monetary transactions and dealings with property by Roman Catholic communities in this country. Nothing more futile or unsatisfactory than the result of that Committee was ever placed before Parliament. All religious persons admired the abounding faith of the Roman Catholics; but the people of this country dreaded and utterly detested the foreign power of Rome which would interfere with the Government of this country. They were told that if they proceeded with this inquiry they would offend the susceptibilities of Roman Catholics. What was meant by that? Why, that Roman Catholics did not desire discussion, and that by every means in their power they would put it down. In that House they attempted to prevent discussion by moving Count-outs, and outside they did not like to have this subject debated. Some time ago he was at Bury St. Edmund's, with the object of raising in a public meeting a question which it was considered likely would "offend the susceptibilities of the Roman Catholics"—that was the phrase used—and it was known that a body of some 40 men were to be brought from a distance to put down discussion by violent means. He communicated with the Home Secretary, who promptly gave him and those who attended the meeting the protection they desired. That was so gratifying to him that he thought he should never again have to trouble the House on this subject. Give him freedom of discussion and the right to address his fellow-countrymen whenever they thought fit to hear him, and he would undertake to drive every Roman Catholic priest out of the country. He inquired whether the rule laid down at that meeting might be relied upon at future meetings for legitimate purposes; but would the House believe that the right hon. Gentleman answered him in the negative, saying—"No, we will not afford you protection for public discussion, except we first approve of the object of the meeting." That would put an end to freedom of discussion, and he now wished to ask whether, upon reasonable request from a responsible person, the right hon. Gentleman would not consider himself bound to afford on all occasions such assistance as he gave at Bury St. Edmund's? He had recently had an opportunity of ascertaining the views of the right hon. Member for Greenwich upon this subject. As hon. Members knew, the right hon. Gentleman had placed on record opinions which had aroused the attention of Europe, and had stated that this country had hanging over it the most portentous perils, the most tremendous mischiefs—[*Interruption.*]

Mr. SPEAKER reminded the hon. Member that he was wandering from the Motion before the House.

Mr. WHALLEY said, that if he was wandering in alluding to the right hon. Gentleman the Member for Greenwich, he would refer to what was written 40 years ago by the Prime Minister upon this subject. He would read a passage attributed to the Prime Minister—

> "The people of England were not so far divorced from their ancient valour, that after having withstood Napoleon and the whole world in arms they are to sink"—

[*Cries of* "Divide!"] If he was not permitted to express his views inside, he would outside of the House. The right hon. Member for Greenwich had compared the case of this country to that of a ship with a torpedo within it—we knew not when the fatal hour might come. That being so, he should relieve the House from further discussion of the subject, and would conclude by expressing the hope that the Home Secretary would afford protection to those who took part in such public meetings as might be held for discussing this question of the inspection of convents or any other question affecting the public interests.

MR. NEWDEGATE: Mr. Speaker, I am anxious to recall the attention of the House to the Motion which has been brought before us by the hon. and learned Member for Marylebone (Sir Thomas Chambers) in a speech which was marked by his wonted ability. There has been some confusion raised by the hon. Member for East Sussex (Mr. Gregory) as to the scope of the Motion which is now under consideration by the House; and in order to dispel that confusion I would remind the House that, in the year 1870, upon my Motion for a Select Committee to inquire into these Monastic and Conventual Institutions, the House, by a majority of 2, agreed to that proposal. Attempts were afterwards made by repeated Motions for Adjournments to get rid of that Resolution; but the House, by increasing majorities, ended with a majority of 45, and thus decided that the inquiry, as I had proposed it, should be instituted by a Select Committee. That inquiry would have been of precisely the same nature as the inquiry which is now proposed by the hon. and learned Member for Marylebone; but the right hon. Gentleman the Member for Greenwich, who was then at the Head of the Government, afterwards persuaded the House to partially rescind its Order, and to exclude from the Instruction to the Select Committee, then appointed, the words "discipline" and "character," as applied to these institutions, and thus to limit the inquiry exclusively to questions as to property held by or for these institutions. I was quite convinced at the time that the inquiry as to property would fail, because the terms of the Instruction, the limit assigned to the power of inquiry, excluded the personal discipline and character of these institutions, and of the members and inmates of these institutions; I told the House, that I was convinced the inquiry would fail, and it afterwards appeared before the Committee that the difficulty of legally holding property, to which many of these institutions are exposed, and to which the hon. Member for East Sussex has alluded, arises principally from the operation of certain clauses in the Catholic Relief Act of 1829, which render the residence of the Monastic Orders of the Church of Rome in this country illegal. These clauses are directed against the persons who are connected with these Orders, or who owe allegiance to them, and through them to the Pope; and it is here in reference to the persons, in the character of these Orders and of the persons forming them, in the discipline of these Orders, that their difficulty as to holding property arises. The Instruction to the Select Committee having been thus limited, the investigation was necessarily cramped; and the result was, though I laboured hard to carry out the intention of the House, as finally expressed, that it was within the power of unwilling witnesses to defeat the inquiry. Especial care was taken by the Heads of these Monastic and Conventual Institutions to select solicitors and counsel to appear before the Committee, who gave us what they said was the total number of these establishments, and the total aggregate value of the property and income which they said that these institutions possessed; but the moment they were asked by the Committee—"Where are those institutions, where and what is the property of any of those institutions, and how many members, monks, friars, or nuns inhabit any one or more of them?" the witnesses at once pleaded privilege; and, to my great regret, the Committee thought proper to admit the plea. The consequence was, that the witnesses could not properly be cross-examined; the bald statements they made could not be tested; and, as the Committee proceeded, they found their inquiries more and more cramped and evaded. On one occasion a question arose with regard to some property which had been held by the Dominican Order. I proved that the local Superior effected a sale of property near Hinckley; but the Committee decided not to call before them the Head of that Order, who had sold the property, in order to test the nature of his ownership, whether he acted as trustee, or in what capacity as connected with the Order. After that, therefore, and after the Committee had rejected evidence respecting other property possessed by the Oratorian's, which evidence had been received by the Court of Probate, when the re-appointment of the Committee was proposed in 1871, the hon. and learned Member for Marylebone and I refused again to serve upon a Committee, who were thus cramped by their Instruction, and who had placed such an interpretation on that Instruction as to reject the only evidence that could have enabled them to obtain the information desired by the House. Neither of us, therefore, took part in the Report of that Committee, or are in any sense responsible for it. The present discussion seems to me to have illustrated the course which has been invariably pursued by the Roman Catholic Members of this House, whenever an inquiry touching Monastic and Conventual Institutions in Great Britain has been proposed. Their whole conduct amounts to nothing more or less than a resort to a barefaced system of evasion. Attempts are constantly made to defeat discussion, and I am very much afraid that I shall not see Her Majesty's Ministers give their support to this Motion. Most of what we have heard in the course of the present debate only relates to what I may describe as the outside of the matter; for I have been privately told that such is the power of the Ultramontane, the Home Rule Members of this House, that no Administration dare institute a thorough inquiry into these institutions. From what I know of the people of this country, I do not hesitate to say that, as soon as they have become fully aware that successive Administrations manifest this failing, and of the cause of this failing, you will find a Home Rule movement arise in Great Britain upon this subject, which will be rather more difficult to deal with than the Home Rule movement in Ireland has hitherto proved. Several hon. Members, and especially the hon. Baronet the Member for Wexford (Sir George Bowyer) have proclaimed that these convents are "heavens upon earth." [Sir GEORGE BOWYER: Hear, hear!] The hon. Baronet cheers, and I must admit that he has always been perfectly consistent on this subject. He never will admit any fact that is not precisely in accordance with his own views, and he really goes further in denying statements, which he finds to be inconvenient, and in uttering allegations, framed for his purpose, than any hon. Member I can remember. Hon. Members may believe, if they please, that all convents are "little heavens upon earth;" but I should have thought that the case of Miss Saurin ought to have dispelled that illusion. It may have been that Miss Saurin did not seek to leave the convent, and was not detained there against her will; but the system of persecution to which she was subjected to drive her out of the convent at Hull was exactly analogous to the system of persecution, prescribed by the highest authorities of the Roman Catholic Church as that which, according to the laws of that Church, is to be pursued towards any "Religious"—that is, to any nun who may desire or attempt to leave her convent or may be disobedient. I hold in my hand some extracts from a work of authority, which is widely circulated among the inmates of convents and their adherents, and which is entitled *The Spouse of Christ*, by S. Liguori. I do not wish to trouble the House by reading extracts from the work; but I must be allowed to refer shortly to the substance of these extracts, and for this reason. We Protestants do not believe in the merits of a cloister life, yet we see members of our families separated from us and induced to enter these places, which we are told are "asylums of peace." But when we receive such an assurance as that, we are inclined to compare it with what is prescribed in this work of Liguori. [Sir GEORGE BOWYER: Who?] Liguori. The author speaks in condemnation of the institution of marriage, although marriage is held to be a sacrament by the Roman Catholic Church. He dilates upon the ill-temper of husbands, the trouble of children, and asserts that very few married persons have any reasonable hope of escaping eternal perdition. This Saint condemns family affection in all its forms and phases, however virtuous, if it prevents the enormous extension of the Monastic and Conventual system desired by the Papacy. This Saint proclaims and extols the most extreme practices of the most extravagant asceticism as adopted in these houses—flogging, fastings, and other forms of penance. He condemns all communication between those outside and those within cloistered convents; he especially condemns all intercourse with relatives. I know from the long-continued searching inquiries I have made—I know, from sad experience, that this so-called "Saint" faithfully illustrates the conventual system. You Ultramontanes drive young women into these institutions which this Saint Liguori proclaims to be hells upon earth to the unwilling "Religious." These are the words which are employed in this work; and do you expect, while you claim for yourselves all kinds of delicacy of feeling upon this subject, that we Protestants should be insensible to the dangers incurred by unguarded ladies, who have been Protestants, but who are drawn into these institutions? Do not tell me that these convents are all happy homes. In the case of one convent within the county I represent, and in which I have long served as a magistrate, that of Atherstone, some years ago, the severities practised were such that one unhappy nun escaped, but was caught and dragged back again. I had the place watched for weeks, yet I failed to obtain the requisite evidence. What was the result? So close was the watch that the confessor of the convent took fright. He declared that the discipline was unduly severe, and within a fortnight the whole community was removed and the building remained vacant for some time. Afterwards it again filled, but by members of another and a different Order; it has become one of the most fashionable convents in England. I will now allude to another case to which reference has been made. It is the case which I first brought before the notice of the House in 1865. Everything that I said about the escape from the convent at Colwich had been proved on affidavit before the Court at Queen's Bench. Mr. Charles Langdale and Sir Charles Clifford thought fit to address insulting letters to me, because I cited and had acted upon that evidence. I consulted a friend; he considered the subject carefully, and told me that these insulting letters were manifestly the result of a conspiracy, and advised me to press for an inquiry before a competent tribunal, that I might adduce the evidence on which the affidavits were made. He said that was the only proper course I could pursue to clear my character as a Gentleman and to effect the object I had in view; but never to this moment has the House granted a tribunal before which the allegations I had then made, and have since repeated with respect to the convent at Colwich, and as to the oppression practised in other convents might be proved. We now again ask you to authorize an inquiry by which it may be ascertained whether discipline of a very severe character is not exercised in some of these cloistered convents. Another case occurred in the county I represent. A nun escaped from the convent at Baddesley Clinton. By chance there were at the time a number of workmen from Birmingham employed on the roof who became aware of the attempt to escape. They quietly went to the Superioress of the convent and told her, that if she did not place the lady who had been captured in the hands of the justices, they would take the roof of the convent off. The case was then brought before my brother justices and fairly heard, and it was proved that the lady was insane. I was not surprised at that; for the Order of Discalced Carmelites, to which she belonged, is one of the severest of the cloistered Orders of the Church of Rome; and I have it on good authority—that of medical gentlemen—that the discipline of that Order, as practised abroad upon cloistered nuns, frequently produces insanity. In the case to which I am referring this lady was taken to the county lunatic asylum, for her friends and relations repudiated her. She remained in the county lunatic asylum as a pauper, until removed, not, I am sorry to say, by her relations, but by ladies of her own persuasion. She has never been heard of since any more than has Miss Selby who escaped from the Colwich Convent. Here again comes up the fact which has been alluded to by the hon. Member for South-east Lancashire (Mr. Hardcastle) that, though the lady was declared to be insane, no information of the sort was laid before the lunacy authorities previous to her escape from the Baddesley convent. In the case of the escape of a nun from the convent at Newhall, described by the hon. and learned Member for Marylebone, and which is a totally different case from that which has been alluded to by the hon. Baronet the Member for Wexford, if it be true that the person who escaped was insane, no notice of her insanity was sent to the Lunacy Commissioners. I investigated that case, and I hold in my hand the attested statements of the two workmen to whom this person had fled for protection. The men, who followed her and eventually took her back to the convent over-persuaded these workmen; they declared that they had authority to take the woman back, but one of the workmen told those engaged in investigating the case that he deeply regretted having given her up, for he did not believe she was insane. He said—

> "I have ever since regretted that I did not comply with the request she urgently made that I would hand her over to the police."

I have also here the attested statement with regard to the attempt of a woman to escape from the convent at Hammersmith in the spring of last year, 1875. You ask me, why was not the matter brought before magistrates? I applied to the Commissioners of Police; but in that case, the man who witnessed the attempt to escape could not obtain the woman's name, and without it the Commissioners of Police were helpless. There was but one witness, and without the woman's name any further application to the police or to the magistrates would have been useless. This is the other of the cases to which the hon. and learned Member for Marylebone alluded. Investigations were made by an experienced detective, as had been done in the case of the escape from the convent at Colwich in 1857; and in that instance six weeks elapsed before the directions of Mr. Justice Wightman could be complied with. The fact of the escape of a woman from the convent at Colwich was proved before him; and after consulting with counsel on both sides in private, he told those who were in charge of the case—"Unless you can obtain the lady's name and prove to me that she is detained against her will I cannot issue a writ of *Habeas Corpus*." After the expiration of six weeks, by great exertion and perseverance, a solicitor, a friend of mine, was at last successful by the merest accident in obtaining the lady's name. It appeared that the clerk in charge of the telegraph at the Colwich Station had quitted his post, and committed it to the care of a friend. Dr. Ullathorne, the Roman Catholic Bishop at Birmingham, became possessed of this lady after her escape; how, I know not. He telegraphed her name in these terms—"To Mrs. Knight, Superioress of the Convent," at such and such hour, "I will return with Miss Selby." Now, but for the accident that the telegraph clerk was absent from his post, and that his substitute divulged the substance of this telegram, in consequence of which the clerk lost his place, the Court of Queen's Bench would never have been informed of the name of the lady who had made her escape from the convent at Colwich. Can you have a clearer illustration than that of the imperfection of the law? As the law stands at present it is impossible by virtue of the law to reach any lady in a convent unless you have evidence, first, of her real name, and next, that she is detained there against her will. The consequence is, that the law of *Habeas Corpus* is utterly powerless in such a case, except where circumstances occur, which must be very, very rare. It is for this reason that, in framing his Resolution, the hon. and learned Member for Marylebone has introduced the word "character" as connected with the "present position" of these institutions in relation to the law, in order that the inquiry may lead not only to an amendment of the law of property, if necessary, but to such an amendment of the law as shall secure the personal freedom of every subject of Her Majesty, who is an inmate of these convents. In reply to a Motion which I proposed in 1874, the right hon. Gentleman the Secretary for War stated that Her Majesty's Ministers will sanction no inquiry, unless the operations of these Monastic and Conventual Institutions be found to threaten the safety of the State. And last Session the right hon. Gentleman at the Head of the Government declared that no circumstances would induce him to bring into operation the clauses of the Catholic Relief Act of 1829 for the suppression of the Monastic Orders, unless some unforeseen emergency should occur. Sir, we do not by this Motion propose to suppress any of these institutions; but we do propose that an inquiry should take place, in the sense of the decision of repeated majorities in this House in the year 1870. The power of inquiry contemplated by this Motion would go beyond the Instructions finally given to the Committee which sat in that Session and reported in 1871. The inquiry we desire is one to be made with a view to the amendment of the law of *Habeas Corpus*, as it applies to these institutions, and—if these institutions are to be continued—to such an adaptation of the law as shall give to their inmates the same security from the State which has been provided by the laws of Germany; which is intended by the laws of France, although they have been lamentably evaded; which will be, and is secured by the laws of Austria; and has been amply provided by the laws of Italy. Is there anything unreasonable in this? What right have you Roman Catholics to plead your susceptibilities, while you make no allowance for the feelings of us Protestants? It is bitter to us Protestants to have relatives taken from us and placed in institutions which may be prisons. If you expect that the patience of the people of England, who feel these robberies—for they so consider them—of relatives and friends pressing upon them increasingly year after year, will last for ever, you will find yourselves mistaken. You will bring matters to such a pass, that there will arise a Home Rule movement in Great Britain. I rejoice that, notwithstanding the two attempts which have been made to count out the House, we have at last had an evening given to the discussion of this subject. When the Legislature of every principal State in Europe is directing its attention to these matters; and these institutions are multiplying around us in Great Britain, extending their influence and attracting larger and larger numbers within their walls. I put it to the House of Commons whether we ought to be deaf to the urgent appeals of the people of England and Scotland? Is it reasonable, is it creditable, that it should go forth to the world that there exists in this free country a class of institutions with which the Legislature and the Government dare not interfere? Is it creditable that there should be 99 Monastic Institutions in this country, all of them illegal; and that their inmates and all connected with them should live in Great Britain not according to law, but by the dispensation of the Prime Minister? Is that creditable, I ask? Can such a state of things be considered safe? Is it not a state of things that must excite a suspicion that undue influence may be exercised and brought to bear upon the highest officers of the State by these his dispensed satellites? Ask yourselves these questions, not as members of this Party or of that, but as sensible men, and I am convinced that the answer will be that the proposal of the hon. and learned Member for Marylebone is a reasonable one, and that it ought to be adopted by this House. I acted in concurrence with the hon. and learned Member in the preparation of a Bill upon which both our names appeared, and which has been recently withdrawn in favour of this Motion. That Bill contained provisions for the appointment of a Commission, furnished with what we believe to be powers necessary for obtaining the information we deem requisite; but the state of the Business of the House, and the system of blocking the Order Book which the Ultramontane Members of the House have pursued, have brought matters to this pass—that, although that Bill has in each of four successive Sessions been introduced by the Order of the House, it never but once reached a second reading, and then came on by accident. [*Laughter.*] Hon. Members from Ireland cheer and jeer at that statement; but in their exertions to defeat this inquiry they are breaking up the Order of Business in this House. They appear to be proud of that; but it cannot be supposed to give satisfaction to other hon. Members of the House, or to the people of that country whom those hon. Members represent. It may be a policy of which the Home Rule Members may boast in Ireland, where we know they talk of the liberties they take with the House of Commons; but they may depend upon it that they will never stand well with the people of England or Scotland so long as they persist in this course. Every year they will be looked upon with greater suspicion; and, although they may for a time enjoy what they consider a Party triumph, let them be assured that it is a triumph that will bear bitter fruit. I have always abstained from casting any reflections upon the inmates of those institutions; but if I am asked to believe that these convents are all morally and properly

Runnymede! [*Laughter.*] Do not sneer at the memory of those who won your liberties, and remember that when the Barons faltered, it was the Catholic Bishops who nerved them to persist in their demand for free institutions. To blot out all that reminded them of mediæval times, it would be necessary to pull down the statue of Lanfranc from those halls and to tear up Magna Charta; but if no man could do these things, then let them recognize all that they owed to Catholic memories and Catholic institutions.

Mr. STORER said, that the stirring declamation of the hon. Gentleman the Member for Louth (Mr. Sullivan) evaded the question at issue. Moreover, his arguments were entirely opposed to the asserted infallibility of the Church to which he belonged. If there were no abuses in these institutions, then successive Bishops and Popes must be fallible in providing, as they had done, safeguards against abuses in Monastic and Conventual establishments. The verdict of correct history, too, was at variance with the manner in which the hon. Gentleman interpreted it; there could be no doubt the abuses of Monastic institutions for ages before the Reformation had the geatest effect in producing that moral revolution. The front Opposition bench had been conspicuous for its absence to-night, evidently because it did not wish to lose the Irish vote; but the people of England, he believed, would hereafter inquire why the Leaders of Opposition had not taken part in the debate, and upheld those principles of civil and religious liberty which were their birthright. He hoped a Conservative Ministry would not follow their example; but that, knowing how deeply Protestant this country was at the core and how anxious the mass of the people were on this subject, the Government would show the courage of their convictions.

Sir WILLIAM HARCOURT hoped the question was not going to be discussed on his side of the House in the spirit of the speech to which hon. Members had just listened. There was no man in that House more attached to the principles of the Protestant religion than himself, and therefore he asked for a few minutes' indulgence while he stated why he could not vote for the Motion. He entertained objections to the Church of Rome and to that part of its system which was pointed at in the Resolution; but he had always understood that the principles of religious toleration which had been embraced by those who sat on the Liberal benches had established that men in this country were entitled to practise their own religious belief and that which was a natural consequence of that religious belief. There was in this country one form of religious opinion which was established by the State, and with that form of religious opinion Parliament had a right to interfere when it thought fit, and he had always supported any attempt to regulate the Established Church when he thought its practices were departing from the principles of the Reformation. But he always thought there was a broad distinction to be drawn between principles on which you ought to deal with the Established Church of the country, and the principles on which you ought to deal with forms of opinion which were not established, and which had no relation to the State. However much he might differ from the religious practices of the Church of Rome, he recognized that those who belonged to that Church were as much entitled to freedom in their religious opinions and practices as any other religious denomination in this country. The only question which the House had to consider was, whether a case had been made out against these institutions which demanded inquiry entirely independent of the religious faith of those to whom they belonged. If these institutions belonged to some Nonconformist sect which was not Roman Catholic, would it be approached in the spirit of the Resolution? If they belonged to Wesleyan Methodists, Baptists, or Independents, would it be argued that there was any cause of interference? The speech of the hon. Member who had just sat down was an appeal to the "No Popery" sympathies of the country. He had called upon the House to remember its Protestant sympathies.

Mr. STORER said, he never mentioned Protestant sympathies. He had said this was at present a Protestant country.

Sir WILLIAM HARCOURT said, he was certain that the hon. Member said the Protestant feeling of the country required the Government to support the Motion. While hon.

Members for Ireland represented a Catholic majority in that country, we ought to have consideration for the feelings of the Catholics who formed a small minority here. Before a Motion of the kind could be supported by the House of Commons, it was essential, as he had said, that there should be laid before it some evidence of practical abuse which would justify an inquiry of this character —a domestic inquiry, for that was really what it meant—totally apart from the nature of the religion with which the institutions in question were connected. As he had heard no such evidence adduced in support of the Motion he should record his vote against it.

LORD JOHN MANNERS said, he fully appreciated the importance, the magnitude, and the delicacy of the issues raised by the Motion of the hon. and learned Member. He thought that the hon. and learned Gentleman had incurred no inconsiderable responsibility in bringing the Motion under the consideration of the House of Commons, and he was satisfied that if Her Majesty's Government were to accept the terms of the Resolution, they would be incurring a still more weighty responsibility. No Government could be justified in assenting to a Motion of the kind without the gravest previous consideration, not only of the terms of the Motion itself, but of its probable consequences. The Motion included in its terms an inquiry into the Monastic as well as the Conventual Institutions in this country. It had been said most truly by the hon. Member for North Warwickshire that Monastic Institutions were undoubtedly illegal, and admitting that to be the case, how could the Government undertake to direct an inquiry into these illegal institutions? He did not know whether the hon. and learned Member desired the appointment of a Royal Commission, but that might be assumed. Then, supposing that the Government were to issue a Royal Commission, how could they do so without either legalizing the institutions into which they were about to inquire, or inquiring, into the state of institutions which were illegal, leaving those persons into whose affairs they inquired at the mercy of the results of the investigation? If either of those alternatives were adopted, both the country and the Government would be placed in a very unfortunate position. Passing to the convents, he thought he might say that they and their inmates were protected by the law. That being so, what was the case raised in the discussion to-night which, it was said, called for what all must feel to be an abnormal inquiry into the position and *status* of those institutions? Such an inquiry must be of a very serious and solemn nature, and ought not to be undertaken, except upon very clear proof of the existence of dangers and scandals. He thought that the Government were in a position to be well informed as to the existence of those dangers and scandals, and he was bound to say that, so far as any organized information had reached the Government, no proof had been offered of the existence of such dangers and scandals. He had listened with great satisfaction to a declaration on the the part of the hon. Gentleman the Member for Louth (Mr. Sullivan) which gave him some hope that out of these animated discussions of several years, it was just possible that those who were mainly to be affected by the proposed investigation would not themselves be indisposed to ask for an inquiry into the *status* and condition of these institutions. If, with the willing assent of the ladies who were the inmates of these places, an inquiry of that sort could be set on foot—an inquiry not dictated by opponents, nor conceived in a hostile spirit—then he thought good would have been achieved by the persevering efforts of the hon. Members for North Warwickshire and Marylebone. As to the terms of the Motion itself, he might point out that with regard to three out of four of the branches of the inquiry asked for, there was really no need for any further information. The number of these institutions, their rate of increase, and the state of the law regarding them, and the amount and legal condition of the property possessed by them, were already sufficiently known. The noble Lord the Member for North Northumberland (Earl Percy) had, in a forcible speech, expressed his opinion that there was no need for further inquiry on the subject in the face of the accumulated evidence already in the possession of Parliament. The noble Lord was followed by the hon. Member for East Sussex (Mr. Gregory), who showed clearly that as to three branches, at any rate, of the proposed inquiry, there was no need for further evidence. He (Lord John Manners) remembered sitting many years ago as Chairman of the first Committee that inquired into the law of Mortmain, and they went very fully into the subject. Some years later a further and still more elaborate inquiry was held, under the presidency of the late Mr. Headlam, and that elaborate Report was accessible to hon. Members. In 1871 the Report of the Committee appointed in 1870 was presented, and in that Report the whole relation of these Monastic Institutions to the State was clearly described. The last branch of the subject related to the "character" of these institutions, and in addition to the fact that the term "character" was one likely to be misunderstood, an inquiry into that subject would place the House in a position of enormous difficulty, and one likely to lead to great controversy and even confusion in the country. An investigation of that sort would open up the widest and most delicate theological and controversial questions, as was shown by the speech of the hon. and learned Member himself. Reasons like those imposed the duty of great caution on the part of any Government called upon to deal with such a question, and having regard to all the circumstances, he thought it would be well if the hon. and learned Gentleman would withdraw the Motion which he had brought forward, and if he saw his way to proposing any legislation based upon the inquiries which had already been made, and the information already acquired, the Government and the House would give careful attention to his proposals.

Question put.

The House *divided:*—Ayes 127; Noes 87: Majority 40.

Main Question proposed, "That Mr. Speaker do now leave the Chair."

Motion, by leave, *withdrawn.*

Committee *deferred* till *Monday* next.

MUTINY BILL.

(*Mr. Raikes, Mr. Secretary Hardy, The Judge Advocate.*)

CONSIDERATION.

Bill, as amended, *considered.*

Captain NOLAN in moving, as an Amendment, the addition of certain words at the end of Clause 26, said, its object was simply to give to Courts-martial the power of sentencing a deserving non-commissioned officer to a less punishment than reduction to the ranks. Under the present system a man was often either too heavily punished, or was not punished at all. The hon. and gallant Member concluded by moving the Amendment.

Amendment proposed,

In page 14, line 9, after the word "war," to insert the words "and may sentence any non-commissioned officer to reduction to the ranks, or be placed at the bottom or in any other place in the list of his rank, or to be reduced to an inferior rank of non-commissioned officer; and, in case of reduction to the ranks, may further sentence him to any punishment to which a private soldier is liable."—(*Captain Nolan.*)

Question proposed, "That those words be there inserted."

Mr. GATHORNE HARDY said, that the general opinion amongst military men was, that when non-commissioned officers were tried before a Court-martial and found guilty they should be reduced to the ranks. He hoped that the Amendment would be withdrawn, as he had the whole subject under his consideration, and thought he might possibly be enabled to make a proposition next year which would be satisfactory to the hon. and gallant Member.

Captain NOLAN said, he should, with the leave of the House, withdraw the Amendment after the statement of the right hon. Gentleman.

Amendment, by leave, *withdrawn.*

Amendment made.

Bill to be read the third time upon *Monday* next.

CATTLE DISEASES (IRELAND) BILL.

[Bill 94.]

(*Sir Michael Hicks-Beach, Mr. Solicitor General for Ireland.*)

COMMITTEE. [*Progress 10th March.*]

Bill *considered* in Committee.

(In the Committee.)

Clause 2 (Interpretation).

Mr. DILLWYN said, that in consequence of the lateness of the hour, he would move that the Chairman report Progress, and ask leave to sit again.

SIR MICHAEL HICKS-BEACH hoped the hon. Member would not persevere in his Motion. He had consulted with the Irish Members with reference to the Bill, and they were all agreed upon it.

Motion, by leave, *withdrawn.*

MR. MELDON moved that the Chairman report Progress.

MR. GOLDSMID said, that in his eight years' experience in the House he had never known so many late sittings before Easter. Persistence in such a course prevented business of importance being reported in the public papers, and unfairly taxed the endurance of hon. Members. There were many Amendments to this measure, and he thought that they ought not at that late hour to be asked to proceed further with it.

Motion made, and Question put, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Meldon.*)

The Committee *divided:*—Ayes 23; Noes 115: Majority 92.

MR. DILLWYN said, the House had recently been sitting late at the instance of the Government, and he should therefore move that the Chairman do leave the Chair.

MR. O'SHAUGHNESSY said, he was afraid that if the House were to continue sitting so late night after night he should not survive.

MR. M'CARTHY DOWNING hoped that the right hon. Gentleman the Chief Secretary for Ireland would not press the Bill.

MR. SULLIVAN said, he should support the right hon. Gentleman in the matter.

MR. BUTT asked the right hon. Gentleman upon whom the expenses incurred under the Bill would fall?

SIR MICHAEL HICKS-BEACH said, they would fall upon the rates. In England they were not paid out of the Consolidated Fund. Seeing the opposition with regard to proceeding with the Committee he would not press it.

Motion *agreed to.*

House *resumed.*

Committee report Progress; to sit again upon *Monday* next.

EGYPT—MR. CAVE'S REPORT.

OBSERVATION.

THE CHANCELLOR OF THE EXCHEQUER: Mr. Speaker, although the hour is late, I think it may be well, before the House breaks up, that I should mention a communication which has within the last hour or so been received by the Government from Egypt. It is a request from the Khedive that Mr. Cave's Report upon the financial condition of Egypt should forthwith be presented, and, of course, without reservation. The Report, therefore, will be laid upon the Table of the House at once.

TOLL BRIDGES (RIVER THAMES).

Select Committee *appointed,* "to take into consideration the freeing of the remaining Toll-paying Bridges over the Thames, and the most equitable mode of raising the necessary funds, and to report to the House."—(*Mr. Alderman M'Arthur.*)

And, on April 10, Committee *nominated* as follows:—Mr. Alderman M'ARTHUR, Sir TREVOR LAWRENCE, Sir CHARLES RUSSELL, Mr. FORTESCUE HARRISON, Mr. Serjeant SPINKS, Sir JAMES HOGG, Mr. STANSFELD, Sir JAMES LAWRENCE, Mr. YOUNG, Colonel JERVIS, Mr. WILLIAM HOLMS, Mr. FORSYTH, Mr. GRANTHAM, Mr. PULESTON, and Mr. MUNDELLA:—That the Committee have power to send for persons, papers, and records; That Five be the quorum.

That the Reports of the following Select Committees of this House, and the Evidence taken before them, be referred to the Committee, namely, the Committee of 1836 on Metropolitan Communications and the Freeing of Waterloo and Southwark Bridges; the Committee of 1841 on Metropolitan Improvements and the Freeing Waterloo and other Bridges; the Committee of 1854 upon the Thames Bridges, including the Freeing of the Toll Paying Bridges; the Committee of 1855 upon Metropolitan Communications, including the Bridges over the Thames; and the Committee of 1865 upon the Metropolitan Toll Bridges Bill and the Chelsea Toll Abolition Bill.

POST OFFICE (TELEGRAPH DEPARTMENT).

Select Committee *appointed,* "to inquire into the organization and financial system of the Telegraph Department of the Post Office:"—Committee to consist of Seventeen Members:—Committee *nominated:*—Mr. SCLATER-BOOTH, Mr. LEVESON GOWER, Mr. CUBITT, Mr. LYON PLAYFAIR, Mr. WATNEY, Mr. HOLMS, Mr. CAVENDISH BENTINCK, Dr. CAMERON, Mr. FIELDEN, Mr. MELDON, Mr. RIPLEY, Colonel ALEXANDER, Mr. WATKIN WILLIAMS, Lord ROBERT MONTAGU, Mr. CHARLES ALLSOPP, Mr. WILLIAM BECKETT DENISON, and Mr. GOLDSMID:—Power to send for persons, papers, and records; Five to be the quorum.—(*Mr. Goldsmid.*)

House adjourned at Two o'clock till Monday next.

HOUSE OF LORDS,

Monday, 3rd April, 1876.

MINUTES.]—PUBLIC BILLS—*First Reading*—Inns of Court* (47); General School of Law * (48); Mutiny*; Marine Mutiny *.
Committee—Royal Titles (41).
Committee—Report—Drainage and Improvement of Lands (Ireland) Provisional Orders (No. 2)* (39).
Report—United Parishes (Scotland) * (19).

ROYAL TITLES BILL—(No. 41.)
(*The Lord President*).

COMMITTEE.

Order of the Day for the House to be put into Committee, read.

Moved, That the House do now resolve itself into Committee.—(*The Lord President.*)

THE EARL OF SHAFTESBURY: My Lords, it is with the greatest grief, and yet with the deepest conviction, that I venture to submit a Resolution to your Lordships—a Resolution of an Address to the Crown, with a prayer that Her Majesty would be graciously pleased not to assume the title of "Empress." Now, my Lords, allow me a few words of explanation and apology for the course I have taken. First, I say that I do it with the greatest grief, because I feel most reluctant—as every loyal subject of Her Majesty would feel—to stand in opposition to the wishes of the Crown, especially when graced, as it is, with so many virtues; and secondly, I do it with the deepest conviction, because I am certain that the assumption of such a title in addition to that of Queen or King, under which we have so long enjoyed prosperity and freedom, will not only fail to advance, but will actually diminish the Royal dignity and the Royal esteem, even to the extent of making ridiculous the high honour which the title has hitherto enjoyed both among Her Majesty's subjects and among the other nations of the world. Had not my convictions on this head been profound and unalterable, nothing should have induced me to move in the matter. So much, my Lords, for my doing it at all. But why, I may be asked, do you come forward alone and without the aid and counsel of persons wiser than yourself? My Lords, I plead guilty of presumption and so anticipate the accusation—but listen to the reason. The entire or almost the entire debate in "another place" ran upon the assertion that the resistance to this measure proceeded from factious, from political, and not from Constitutional, motives. Some Members, indeed, went so far as to say that, though they hated the proposition, they would support it against a factious assault. I thought, therefore, that the first note of resistance in this House should be sounded by some one wholly disconnected from either of the two great divisions that agitate and adorn it. But even then I hesitated; and it was not until a certain speech had been delivered by a great man in the House of Commons on the third reading of the Bill, a speech which made disclosures so novel and prodigious, that independent Members, so it seemed to me, were forced, under a positive obligation, not to be silent on such an occasion that I made up my mind to undertake this onerous and delicate duty. The issues on this subject are very short and very simple—for I shall not wander from the text of the Resolution—they are simply, the effect which the assumption of the title of Empress may produce in India and in this country. I need not detain your Lordships, even if I had learning enough to do so, with long and various historical disquisitions. I feel certain that no amount of historical research or antiquarian lore can recommend the proposal to the people of England, nor, indeed—so I believe—to the people of India. The people of India, so far as we know, do not desire it; and the people of England utterly reject it. I do not deny that the people of India would gladly accept a title that would bind more closely their connection with the Crown of England, but then it must be a title of assimilation, and not of distinction, between them and the other subjects of Her Majesty. Now, what proof has been adduced—what proof can be adduced—to show their predilection for the title of Empress? Not even a shadow of evidence is at hand. So far as I can judge, the effect on them would be the reverse of satisfactory. I have, of course, no experience of India, nor any knowledge of it beyond what I have derived from books and conversation. But here is a fact, and it is worthy of your attention. A year or two ago, but long before this question had been stirred; I collected, at my house, some 50 of the Natives of India—youths and men of middle-age, who were in London for various purposes, some on business, some as students of Law, Medicine, or Theology. They were from all parts of India, from Bengal, Madras, from the South, and even from Rajpootana. I endeavoured to extract from them all the information that I could relating to the inner thoughts, feelings, and views of their countrymen, of which they all maintained that the greater part of the English officials and of the residents also knew but little. They were very open and unreserved. They told me that they regarded the Government of England in India as one of the greatest boons that had ever been conferred on their country—they spoke of the English Government as essential, at least for a time, to maintain internal peace and advance the people in the social scale. But one and all, without a single exception, and in the strongest terms, denounced the old Mahomedan Government and the Empire of Delhi, as the grand source of all the miseries and calamities their country had endured; and I am satisfied that if the proposed Emperorship is to revive in any way the notion of the Great Mogul, or if it be presented to the people with the same appellation, it will be received in India with universal dislike and apprehension. But this consideration has acquired additional force from the language of those who supported the Bill in the other House. In the course of the debates there on this question, it was asserted—and it was not contradicted, although uttered in the presence of the First Minister—that the title of Empress was required to notify to the people of India the despotic authority we exercise over them. My Lords, this is a sad announcement—it will go to the extremities of India—it will be listened to in every town, village, and bazaar of that vast country. There will be newsmongers in abundance to carry the intelligence to the remotest parts, and it will be heard with avidity—for though, as I heard the noble Marquess (the Marquess of Salisbury) say, "public opinion" is dumb in India, public feeling is by no means inaccessible, and this is a matter that will probe them to the quick. When the Natives of India ask the reason why India should be governed by one name and England by another, they will be told that a beneficent Parliament has given them the title Empress which they do understand, instead of the title of Queen which they do not understand—"What is this?" they will reply, "not understand it? remember our zeal, our hospitality, our fervour, our affection to the Prince of Wales—they were given to the son of the Queen and not to the son of the Emperor." My Lords, I use the word "Emperor" intentionally, because we shall in the course of time have many more Sovereign Emperors than Sovereign Empresses. There are many things at the present time to gild the title of Empress. It would be held by an illustrious Lady who has reigned for nearly 40 years, known and beloved; it bears, too, an impression of feminine softness; but as soon as it shall have assumed the masculine gender, and have become an Emperor, the whole aspect will be changed. It will have an air military, despotic, and offensive and intolerable, alike in the East and West of the Dominions of England. Now, my Lords, let us turn to the people of England. What do they say on the present discussions? My Lords, I will begin by the assertion that, even if they were breast-high in favour of this new title, I would spare no effort to dissuade them from it. I would say to them—"Ye know not of what ye speak, or whereof ye affirm." But there will be no need for such instruction. I believe that if a poll were taken, head by head—man by man, woman by woman, child by child—beginning with the two Houses of Parliament, the immense majority would be against the assumption of the title of Empress. I say child by child; for remember your day and Sunday schools, where they early imbibe a true, and lasting affection to the Royal name. Now though there is, as yet, no open and wide opposition, there is much silent dislike. The noble Duke the President of the Council affirmed that at first the Public Press, and even the people, were, apparently, for it. Why, here he furnishes us with a powerful argument. If the Press has changed, is it not a sign that the public has changed also? Did the Press ever persist in opposition to public opinion and the public will? Suppose we allow that at the outset the proposal was not rejected; reflection has brought other thoughts, and a slow, gradual conviction has far more of decision and continuance in it than any sudden outburst of popular indignation. My Lords, I have done what I can to obtain information. I know the working classes well, and I can assure your Lordships that a great change of feeling has come over them from the highest to the lowest. They are beginning to talk of their feelings, and to give open expression to the views they entertain. From the small tradesman upwards I find the greatest repugnance—it is universal. Of the mass of the working people, some are displeased, some ignorant, some indifferent. But a far more serious feeling is becoming manifest. In some of the great towns of the North opinion is openly expressed; but in those places they seem to have thrown aside the question of the title itself, except so far as it marks a difference between two parties, and they are hotly divided between the supporters of Mr. Gladstone and Mr. Disraeli. Now, my Lords, much as I respect those eminent men, I tremble to see their names substituted for great principles. Here is another proof of the unhappy tendency of the people in modern days to forget principles and look only to persons. It is an approach to the true democratic spirit, which, taking up a man one day and striking him down the next, alternates perpetually between insolence and servility. Now, my Lords, I could produce an abundance of documents, letters, and the like, even from Whitechapel, where, of all places just now, you might expect a ready acquiescence, but they speak of Emperors as cruel and despotic men. "They have," they say, "their suspicions." What does all this mean? they ask. An agent of great experience writes to me—"It requires but a moderate amount of agitation to call out a strong feeling." This is the tenour of the whole. Now, if these thoughts be entertained in happy times and after recent favours, what will they become in days of distress, low wages, high prices, and general discontent? Are there not already emissaries of mischief abroad, who are making capital out of our discussions, and urging on a section of the people that as the present Parliament is doing something to advance the dignity of the Queen, they must, on their part, do something to take away from it? And now that the traditions and almost the compacts of a thousand years are broken, you must not be surprised, say they, that as you are trying to turn your King into an Emperor we also shall be making an effort to turn him into a President. Now, my Lords, on a matter like this we have a right to demand a large amount of evidence. We ask for it, negative and positive. Now, of negative evidence we have very little, and of positive, absolutely none. Perhaps I ought not to say absolutely none, for the Prime Minister, besides his own assertions, adduced a letter from an "*enfant terrible*" and an extract from *Whitaker's Almanack*. But the evidence of the Chancellor of the Exchequer was the other way, for he declared that the people were driven by an unreasoning "panic"—a fact which, whatever might be the epithet attached to it, showed that, in his estimation at least, the people disliked the measure. But the people, it is said, present no Petitions. My Lords, is it a subject on which they are likely to meet in assemblies, draw up memorials, and lose a day's work? Does it touch their homes, their pockets, their right of free action? Their silence is quoted; but is not silence as often a sign of contempt as of consent? If you have any doubt, read the papers which form their current literature, and which are found in every gathering-place of working men. You will soon be undeceived, and see how unanimous is their favourite Press in denouncing the addition of Emperor to the title of King. Why, here is a letter received only a day ago from a body of miners—"We may be," say they—

> "Insignificant men, but we have sense of honour enough to hold in contempt which we cannot express, those who are endeavouring to attach the title of Empress to that of our Royal Queen."

But, my Lords, I have been more appalled by the assertion of the Prime Minister that the repugnance, wherever it exists, among the people is a mere sentiment. Sentiment, my Lords, to be sure it is, and a sentiment of the kind that ought to be cherished, and not to be despised. Now that the principle of Divine right to the Throne has departed from the people—now that they are in possession of almost Universal Suffrage—your Lordships' House and the Throne itself are upheld by sentiment alone, and not by force or superstition. Loyalty is a sentiment; and the same sentiment that attaches the people to the word "Queen" averts them from the word "Empress." We saw the force of loyalty exhibited in 1848. What Throne or Empire was undisturbed but the Throne of England? And why? Would it have been so had George IV. been King in that day? Far from it. The personal character of the Sovereign alone attracted and tranquillized the people. There were many agitators abroad who urged them to look across the Atlantic, and there see a Republic in the height of power, freedom, and prosperity. "And why not here?" said they. "No," replied the people. "We hold to the traditions of a thousand years." "Kings have been our nursing fathers and Queens our nursing mothers;" the crown of Alfred, the Edwards, Elizabeth, and George III., is worn now by Queen Victoria. "We want none of your revolutionary doctrines," said they; "and now," say we, "we want none of your Imperial diadems of yesterday." Destroy this sentiment and where are we? But some people try to comfort us by saying that the title may be localized and confined to the regions of India. But the great understanding and candid admission of the Lord Chancellor have dispelled the delusion. I never believed it, for besides no end of documents, deeds, proclamations, signatures, and the like—and what they are in number and weight may be judged from the list that was cited the other evening by the noble Earl (Earl Granville)—flattery, common parlance, and mischief-making spirits will bring it into use. Can any one believe that the Crown will be Imperial to India and remain only Royal in England? that the epithet will never travel across the ocean or by the overland route? And even were it possible would it be right? First, it would leave in full vigour all the objections as affecting India, and next, as affecting our own particular look at it:—in this view the want of national unanimity in confirming this title is bad enough, but the want of confidence as to the use of it by the Crown would be almost worse. If given at all, it should be given freely. I heartily concur with my noble Friend (Earl Granville) that it is undignified to bestow an *alias* on the Crown; to enact that the Sovereign might go to India and figure away in all the glory of Parliamentary styles and titles; but when he returns to this country he must doff all such honours repudiated by the people of England. My Lords, I may pause to ask how can this title be offered after this fashion; and I may even go further and say, How can it possibly be accepted? Now, my Lords, I ventured, when I began, to urge, as one great objection to the mode in which this measure has been argued, that the name of the Emperor of Russia was, in a manner so novel and so violent, dragged in by the Prime Minister. Surely, it is a monstrous thing—what less term can you apply?—that the First Minister of the Crown should thus speak in public debate of a great Sovereign with whom we are professedly in most friendly alliance, and state that, in order to curb his ambition and damp his courage, he proposed to invest the Crown of England with a new name as a standing bulwark against his incursions. I say nothing of such a wonderful effort of the imagination; but I desire very earnestly to call your attention to this point. By the Bill before us that language will almost receive the force of statute. I cannot agree with my noble Friend that, bad as it is, it is unworthy of serious notice, for, by enacting this title, the temporary flourish of the Minister becomes the permanent flourish of the Parliament. It must affect, too, the representation of the Crown at that Court—and I should have been glad of an opportunity of asking the noble Secretary of State for Foreign Affairs whether the Crown will be represented at St. Petersburg by an Imperial or Royal Ambassador. If by an Imperial one, the change will affect our external as well as our internal relations, and be a standing menace to the Court; if by a Royal one, it will be tantamount to a confession that our manifestation is as idle as a puff of wind; and whether the Emperor of Russia treats it seriously or with contempt, the Crown of England will have lost a vast amount of its ancient dignity. My Lords, it is not yet too late to return to wise counsels—let the Minister recall his advice; and there will be no shouting of triumph, but one universal expression of gratitude throughout the country. My Lords, it is sad, indeed, to find division on a subject so delicate, so important, and on a subject too, where, in the depth of their hearts, all parties are agreed, and where there is so much to lose and so little to gain. What could be gained by India beyond a name which is repudiated by the English people, and which could bring to India no increase of happiness or freedom? What would be gained by the people of England beyond the knowledge that they had imposed a title on the people of India which they themselves utterly reject? And what by the Crown, if such a power be conferred, without full and enthusiastic unanimity? But though little can be gained by India, something may be lost. India would lose, if by such a distinction as this we turn the Natives from unity of heart, unity of spirit, and a sense of common rights with the people of this Kingdom. Our duty is to enlarge their views, raise their thoughts, and strengthen their minds, by the communication of everything that we ourselves enjoy. Lose India, my Lords! we shall never lose India but by our own fault; but a time may come when, after a long course of happy rule, we may surrender it to Natives, grown into a capability of self-government. Our posterity may then see an enlargement of the glorious spectacle we now witness, when India shall be added to the roll of free and independent Powers, that wait on the Mother Country, and daily rise up and call her blessed. But to attain this end we must train them to British sentiments, infuse into them British principles, imbue them with British feeling, and rising from the vulgar notion of an Emperor, teach them that the deepest thought and the noblest expression of a genuine Briton is to fear God and honour the King. The noble Earl concluded by moving the Amendment.

An Amendment *moved*—

To leave out from ("That") to the end of the motion for the purpose of inserting ("an humble Address be presented to Her Majesty as follows:

"That this House ventures to approach Her Majesty in sincere and earnest devotion to Her Majesty's person and dignity, with an humble and hearty prayer that She may be graciously pleased to assume a Title more in accordance than the Title of Empress with the history of the Nation and with the loyalty and feelings of Her Majesty's most faithful subjects.")—(*The Earl of Shaftesbury.*)

THE LORD CHANCELLOR: My Lords, the assurance of the noble Earl (the Earl of Shaftesbury) that he places himself in an attitude of opposition to this Bill with deep regret is one which I frankly and unreservedly accept. I accept equally the statement that the noble Earl has taken the step of moving his Resolution without concert or co-operation with any Party in Parliament; but, at the same time, the noble Earl must permit me to offer him my congratulations on the great and unusual good fortune by which he, a fortuitous and unexpected General, has found ready to his hand a disciplined and compact army, prepared not merely to follow his footsteps, but to accept that line of battle which he himself, without any concert with them, has chosen. My Lords, I will follow the example of the noble Earl, and will not shrink from any of the arguments to which he has referred in favour of his Motion; but there is one part of the artillery of the noble Earl to which I feel myself unable to reply. I cannot follow the noble Earl through the gloomy forebodings in which he indulges: in that field the noble Earl is without a rival. When we come to forebodings we enter upon the realm of prophecy, and when we enter upon the realm of prophecy there are only two alternatives possible—belief or rejection. My Lords, I am not a believer in the forebodings of the noble Earl.

I ask your Lordships to consider, in the first place, how completely the issue between us is narrowed on the present occasion. We have here to-night no controversy as to an addition to the title of the Sovereign—the Bill authorizing that addition has passed the second reading, and the noble Earl, by the words of his Resolution, does not propose to object to an addition, but, on the contrary, asks the Sovereign in words to make that addition. But, my Lords, the issue is narrowed somewhat further. It is not merely that there is no longer any dispute that there is to be some addition to the Royal title, but it has become even a narrower question, and the only issue now is as between two titles—the title of Queen and the title of Empress.

On the occasion of the second reading of this Bill I anxiously observed the observations made on this point from the Opposition side of the House. The noble Lord who once occupied the position of Governor General of India (Lord Lawrence) spoke—not in favour of the measure, but at the same time he did not propose any other title than that of Empress except a title in the Indian language, which, naturally, was not received with favour on either side. The noble Lord who was at one time Governor of Madras (Lord Napier and Ettrick), suggested for a moment the title of "Paramount Sovereign;" but he almost immediately appeared to shrink from it, and said it would be an unusual title, and returning again to "Empress," he observed that it expressed more nearly Her Majesty's position in reference to India than did the title of Queen. I know that outside this House other titles have been suggested. "Paramount Power," and "Lady Paramount," have been suggested; and we have heard the proposal that "Sovereign Lady" should be the title adopted. But, my Lords, I do not think that any public man in his place in Parliament has gravely risen and proposed any of these titles. Of all these proposals it is sufficient to say that the words suggested are not titles, but definitions and descriptions. "Paramount Power," "Lady Paramount," and "Sovereign Lady"—not one of these is a title. Your Lordships in the supplication made for the Sovereign in this House offer up your prayers for "our Sovereign Lady," but you add immediately after these words a title which designates the Sovereign Lady as "the Queen." The question, then, is simply this—if an addition is to be made to the Royal titles under this Bill, should that be the title of Queen or the title of Empress?

Now, my Lords, I will take that division which the noble Earl suggests, and will first look to India and then look to England. What I would desire your Lordships to consider with respect to India is—first, whether the title of Empress is appropriate; and next, whether it is likely to be acceptable. Now, my Lords, what is the nature of our rule over India? The noble Earl hardly adverted to it. We govern a large part of India directly as dominions of the Crown; but there are enormous portions of India—portions larger than kingdoms and Empires in Europe—which we govern not directly, but indirectly. We find in these portions of India potentates with various titles—such as the Nizam, Scindiah, Holkar, the Guikwar, and the Maharajah of Jeypore, and many others. Over potentates of such magnitude this country exercises power in India. And what is the character of that power? We speak of Treaties made with these potentates, but these are Treaties by which we define the nature of our power. Those potentates cannot make peace or war, they cannot make Treaties with other Powers; they cannot regulate their own succession, and at their Courts, whenever necessary, we have Residents representing English power. This power does not require a better description than that given of it by Lord Canning. That description was referred to on the second reading of the Bill, but I will venture to read it again to your Lordships. It is a description not given without consideration, because it was introduced in a great despatch—the "Adoption Despatch"—which conferred on India a kind of Magna Charta. This is what Lord Canning said in the "Adoption Despatch"—

> "A time so opportune for the step can never occur again. The last vestiges of the Royal House of Delhi, from which, for our own convenience, we had long been content to accept a vicarious authority, have been swept away. The last Pretender for the representation of the Peishwa has disappeared. The Crown of England stands forth the unquestioned ruler and paramount Power in all India, and is, for the first time, brought face to face with its feudatories. There is a reality in the Suzerainty of the Sovereignty of England which has never existed before and which is not only felt but eagerly acknowledged by the Chiefs."

I ask is that a true description of the power exercised by this country in India? The noble Earl (the Earl of Shaftesbury) will hardly deny that it is a true description. And, if it is, I ask, is it the description of a power which would be represented by the title of King or Queen? My Lords, I do not go into that antiquated lore which the noble Earl deprecated, but some of which the noble Earl who leads the Opposition in this House (Earl Granville) entered into the other night. I do not go into the question as to whether what he said as to the Kings of France and Dukes of Burgundy was correct, though I believe much might be said on the other side; but I ask whether in modern times—within these last five or six centuries of which the world has a vivid recollection—there is any instance where the title of King has been used to imply such a power as that which is described by Lord Canning. On the other hand, is there any doubt that with regard to a power which can be described in the terms used by Lord Canning, the title Emperor would be a proper description? I take the term as one indicating a Sovereign who governs not directly, but through other Sovereigns, and in this sense I believe the term "Queen" an inappropriate one, and the term "Empress" an appropriate one.

My Lords, the noble Duke who spoke the other night first in opposition to the Bill (the Duke of Somerset) asked the question—and I think the noble Earl repeated something of the same kind to-night—"Do you mean to offer the Princes of India a title which would not be accepted in this country?" The noble Earl to-night, following up that idea, said—"We want harmony, and in order to secure this we must assimilate our practice by using the same title for the Queen here and in India." I would like to ask this question—If we merely incorporate the name of India into the title which the Queen bears in this country, and style Her Majesty "Queen of Great Britain, Ireland, and India," what are the Nizam and Scindiah, and Holkar, and the Guikwar, and the Maharajah likely to think? They know how the Queen is Sovereign of England; they know how she exercises territorial dominion over every inch of ground in England. This they know, and they will ask—"Do you mean to say that the Sovereign is Queen of India in the same sense in which she is Queen of England." Do not think that the feudatory Princes of India have no intelligence on this subject. Do you not think they know and understand that the power exercised by the Queen over India is not the same as that exercised by the Queen over England? You should do nothing to excite jealousy of the Princes of India in respect of their territorial rights by conveying a false impression by any title that their territorial powers are impaired. I say, then, that the title of Empress is an appropriate one, having regard to the power exercised by Her Majesty in India.

I want to ask, then, would it be an acceptable title? We have got some testimony on this subject. My Lords, in inquiring whether this would be an acceptable title in India, in my opinion the great object is to obtain some testimony which may be regarded as unbiased and impartial. I give comparatively little weight to testimony arising after the conflict of opinion has commenced. I attach very much more weight to free and unbiased testimony which was in existence before the conflict began. The first witness to whom I refer as affording the latter class of testimony is Lord Northbrook, and I refer to a letter of his which was brought under the notice of your Lordships on the second reading of the Bill. Lord Northbrook when penning that document, which was directed to an Oriental potentate, could have had no object in applying to Her Majesty a title which he did not regard as appropriate and which he did not think would be understood by the Prince to whom it was addressed. In sending a mission to Yarkund Lord Northbrook described the Queen as Empress of Hindostan. The noble Lord a late Governor General (Lord Lawrence) suggests that the letter might have been written in the vernacular, and that "Empress" might not have been the precise term employed. My Lords, we have no reason to think that. The copy of the letter sent by the Viceroy comes to the India Office in English, and in it the Queen is described as Empress of Hindostan. But there is still further evidence upon this point. I mentioned just now the name of the Maharajah of Jeypore, who is one of the most intelligent of the Native Princes of India, and who is thought so highly of that Lord Northbrook placed him on the tribunal which was lately appointed to inquire into the conduct of the Guikwar of Baroda. What was the manner in which the Maharajah of Jeypore, of his own accord, addressed the Queen when presenting a congratulatory address to Her Majesty on the recovery of the Prince of Wales in 1872? The address was in the English language, and he styled the Queen "Empress of India." But there is another piece of evidence which was mentioned in this House on Thursday night. I allude to the Exhibition medals at Kurrachee. That was a case in which there was no action by any Government official, in which there was no object to be served by any officer of the Government, and no desire to do anything pleasant to those in high position;

because, as far as I know, the medals were retained and circulated in the district in which they were struck. But it was a case in which, on the occasion of an Exhibition in which were centred the whole of the commercial interests of the West of India, the community of merchants themselves, both Native and English, in considering a fitting form to present a medal with the title of the Sovereign, of their own accord adopted the title of "Empress of India." Well, let me ask, have we any other witnesses on the subject? Are there not witnesses almost within our own hearing? Did the noble Lord who was Governor General of India (Lord Lawrence) tell us that the title of Empress was unacceptable in that country? The noble Lord spoke, I think, against the Bill on account of its possible effect in England; but, if I recollect right, he said that if Her Majesty were to adopt the title of Empress it would, in his opinion, be received with pleasure and satisfaction by the people of India. Again, what did the noble Lord who was Governor of Madras (Lord Napier and Ettrick) say, and to whose speech the other night I listened, as I am sure did all your Lordships, with great interest, for a more grave, measured, and temperate speech I never had the satisfaction of hearing, or one which conveyed more information? He said the title of Queen would be wholly inappropriate, and that he believed the title of Empress would be hailed with satisfaction by the people of India, who would look upon it as a proof that the interests of India were united with those of this country. I will mention another authority. There is scarcely anyone living, I imagine, who knows more or has seen more of public feeling in India than the great founder of the Missionary Church of Scotland in India—I mean Dr. Duff. His experience of India dates from nearly 50 years back. He has spent a lifetime in India, and his opinion on Indian subjects has been deemed of such value that a quarter of a century ago your Lordships asked for it when inquiring into questions affecting that country. Dr. Duff, I may add, having returned from India, has risen to the highest position in his own Church, having been Moderator of the General Assembly of the Free Kirk: and what did he say when addressing, only the other day, a public meeting of his own countrymen—one of those meetings which, according to the noble Earl (the Earl of Shaftesbury), could not be called together without expressing disapprobation of the title of Empress? He said—

> "Remember the tie that exists between us and this region of India. There is no such tie between this country and any other kingdom of heathenism. We have conquered these tribes, every throne in India is prostrate at our feet, and the Princes and Rajahs are feudatories of Queen Victoria. . . . This tie is peculiar and intensely providential. There is thus an obligation laid upon us by Providence to do this work, and if the British Parliament will do what India has done without being consulted in the matter—regard our Queen Victoria as Empress of India, and the successor of the Great Mogul Emperor—the connection between this country and India will be closer than ever it was."

He then goes on to say—

> "Even when the last Mogul Emperor was a pensioner of the British Government at Delhi, all India looked to him still as the supreme Prince, and no Prince reckoned himself secure upon his little or big throne until he got the formal sanction of the Emperor of Delhi. All this continued down to the Mutiny and Rebellion of 1857. The last of the Moguls joined the Mutiny, and, being captured by the British Government, was tried for his life. I was at Calcutta at the time when he died in banishment, and I remember quite well what the Indians, both high and low, said then. They said, 'Now we are without a supreme Sovereign. The Great Mogul has gone; the only Empress we have now is Victoria.' And straightway, without being asked, they began everywhere to call her the Empress of India. That is the title by which she is known there."

To which he adds—

> "All this discussion in our Parliament is an inscrutable mystery to me."

Now, against this body of testimony—the testimony of acts done in India, of Natives of India, of men who have passed their lives in India, and who thoroughly understand Indian opinion—what have your Lordships to put in the scale? Absolutely nothing—for I am not now speaking of English feeling on the subject—if you only except a drawing-room meeting in the house of the noble Earl, where some young Natives of India appear to have said that they hoped no dynasty which we might establish in India would imitate that of the Moguls — a hope in which we may all safely concur. So much for India.

I now pass to England, and I ask what would be the effect on the present Royal style and titles in this country if the title of "Empress of India" were assumed for India? My Lords, I am not one of those who look with any dissatisfaction on any amount of jealousy or solicitude here as to any measure that would impair the dignity of the title of the Queen of England. I believe—every one of your Lordships believes—that the title of Queen of England is the greatest and the grandest in the world. It is a part, and no small part, of our national inheritance. I believe—every one of your Lordships believes—that there is no Sovereign on earth, be he Emperor or King, to whom the Queen of England ought to yield precedence. I believe—every one of your Lordships believes — that there is no addition you could make to the title of Queen of England which could add to its dignity. I would say for myself—and I am satisfied I might say for every one of your Lordships—that if I know myself rightly I would forfeit all I possess before I would lend my hand to any measure which in my conscience I believed would dim the lustre or degrade the grandeur of that great title. But I want to know what is the effect which the assumption of the title of Empress of India for India, supposing it to be appropriate and accepted in India, will have on the Royal style and title of this country? I have not said a word, nor am I going to say a word, in this debate about Party motives. I allow to others, as I claim for myself, the admission that we are all actuated by a conscientious desire to do what we think right in this matter. I must, however, protest against some assumptions which, it appears to me, have been too lightly made in the course of these discussions. Those who are opposed to the title of Empress have assumed two things which are of great importance in their view of the case. They commence by assuming that we cannot have the title of Empress without altering and impairing the title of Queen of England. Arguing from that proposition, they go on to say that any measure which would impair the title of Queen of England must be unpopular in this country. Now, I should like to know what is the evidence on which they rely that this measure, properly understood, is unpopular in this country. The noble Earl who has just sat down (the Earl of Shaftesbury) will forgive me for saying that I cannot take his unsupported authority as evidence of the feeling of the country at large. I am the less disposed to take it as an authority when I hear the views which he entertains as to the opinions of the people of this country. If I understood him rightly, he says that in the North of England—where it appears he has been collecting public opinion—he found that the people were not thinking about the merits of the Bill, but rather of the respective claims to their confidence of Mr. Gladstone or Mr. Disraeli. Now, my Lords, I cannot attach much weight to the views of those engaged in this collateral controversy as an expression of public opinion on this measure. In some other parts of the country, also, it seems, the noble Earl endeavoured to collect public opinion, and he says that the working men were so indifferent to the Bill that they declined to attend a meeting or to lose a day's work for the purpose of discussing the subject, but that their wishes might be gathered from the newspapers which they were in the habit of reading. Now, my Lords, I hope no one will gather my opinions from the newspapers I am in the habit of reading; and I can only say that if the opinions of the working men are to be ascertained from the newspapers which they are in the habit of reading they are very much to be pitied. Well, what other evidence has the noble Earl to produce? Petitions. About them I should like to say a word. I speak with the greatest respect of the power of petitioning; but I must be allowed to observe that it is very remarkable with regard to this Bill that, although nearly two months have passed since it was first announced, I am not aware that any Petitions deserving the name have been presented against it until within the last few days. We had a reference the other night to the manner in which these Petitions have been made to order. I think the order has been carefully executed, because if I recollect aright the circular expressly stated that the number of signatures to the Petitions was of no importance—the great thing was to have a Petition. When I looked to-night at the roll of Petitions which the noble Earl (Earl Granville) brought into this House, which appeared to be something of a feather weight, I rather thought the advice given as to the number of signatures had been literally complied with.

EARL GRANVILLE: I beg your pardon — the signatures are very numerous.

THE LORD CHANCELLOR: I only judged by the degree of ease with which the noble Earl bore into this House and laid upon the Table the roll of Petitions which he presented. My Lords, out of curiosity I have looked at the reasoning of these Petitions, and I have selected two which may be taken as samples of those made to order. Here is one—it consists of one sentence:—"That in the opinion of the Petitioners the Royal Titles Bill now under your Lordships' consideration is fraught with danger to the public interests." That is very simple and very dogmatic, but it does not assign much reason. The other does assign a reason. "Your Petitioners," it says, "believe that it is unwise to alter the title of Queen under which Her Most Gracious Majesty has surrounded the Throne with the affection of all her subjects." My Lords, it is sufficient to reply to this Petition by saying that nobody proposes to alter the title.

Upon a subject of this kind there is in a country like ours a higher authority to appeal to with regard to the views and wishes of the people than Petitions. I have always understood that it was one of the advantages of a country possessing representative institutions that the views of the people of the country could be ascertained through the mouths of the Representatives of the people. It so happens that this Bill has passed the ordeal of the representative Assembly before it has come to your Lordships. The noble Earl (Earl Grey) who spoke the other night near me dealt with this difficulty in a very singular way. He said it was quite true that this Bill had passed the House of Commons by a large majority, but that a great number of those who voted for it did so with great reluctance. The noble Earl is one to whom we look for instruction upon all matters of Parliamentary and Constitutional practice, but it is a dangerous doctrine for this House to hold or listen to, that we are so to regard the votes in the House of Commons. I know what your Lordships would think if, after your Lordships had arrived at a decision, some person in the House of Commons—not some novice, but some one experienced in public life, some *vir pietate gravis*—should rise in his place, and say—"It is quite true in voting they were discharging a great public function, but in reality their votes were not given on any principle of that kind, but on another principle, and from other motives, with reluctance and against their judgment and conscience." If the noble Earl's observations do not amount to that, I am at a loss to know what they do mean. There is one other observation I may make with regard to the majority of which the noble Earl spoke so lightly. It might be said that the majority supporting the Government were bound by the bond which usually attaches them to the Government; but, my Lords, that ground is entirely cut away from under the noble Earl, because it so happens that the majority which carried this Bill was, if I mistake not, something like double the ordinary majority by which the Government is supported.

This being the evidence which we have of the feeling of the country, the noble Earl (the Earl of Shaftesbury) asks your Lordships to carry to the foot of the Throne a statement which, under these circumstances, appears to me to be both violent and unjustified. He proposes, in effect, that your Lordships should inform Her Most Gracious Majesty that the title of Empress—even if assumed for India—even if used for India—is a title which will not be in accordance with the loyal feelings of Her Majesty's subjects. That is, he proposes absolutely and unreservedly to state to the Crown—after the House of Commons has stated its opinion—not what is the opinion of this House, but what is the opinion of the people of this country. I must say that if anything could be imagined which is an usurpation of the powers of a representative body, it is for this House to go out of its way to express, not our own opinion, but something which we undertake to say is the opinion of the people of this country. But, my Lords, have we any evidence that the title of Empress is a title which will, in the opinion of the people of this country, properly express the power of the Throne in India? I think we have some evidence on that point. I believe that at the time this controversy was raised there was large numbers of people in this country who were under the impression that Her Majesty was already Empress of India.

I recollect, at the time of Her Majesty's gracious Speech from the Throne, receiving a communication from a keen observer of the public history of this country, which stated that the Government were under a misapprehension on this matter; that in 1858 the Queen had become Empress of India, and that was her title at the present moment. My Lords, I believe that this was really the opinion and belief of a large number of people at the commencement of this year. The noble Earl ridicules the references that have been made to school-books and almanacks, and I know that a good deal of contempt was thrown upon any reference to authorities of that kind. But I must say for myself that I think that the public man who throws contempt upon the school-books of the nation may be a man of very keen wit and of a very sharp tongue; but he is not a man of a very great deal of common sense. When I find that in school books and in almanacks circulating through the country by hundreds of thousands, and circulating for years, the style given to the Queen with regard to India is Empress of India, and that no voice has ever been heard against it, I consider that is very cogent evidence that there is nothing in that title, providing it does not affect the English title, which is objectionable to the feelings of the people of this country. If your Lordships will take up one of those depositories of information which I never open without amazement and admiration —I mean one of those books which contain a statement of the titles and histories of your Lordships—you will find—I think this one which I hold in my hand is about the oldest established in this country—that the title of the Queen is thus described—

> "Victoria, Queen of the United Kingdom of Great Britain and Ireland and of the Colonies and Dependencies thereof, Empress of India."

It has, so far as I know, never occurred to any person to protest against the title thus given as repulsive to English feelings.

I have anxiously endeavoured to discover what were the arguments upon which it was stated that the title of the Queen of England would be interfered with by the title of Empress of India, and I do not desire to overlook any one of them. The first argument that is used is what I may term the social argument. I think it was the noble Duke who spoke the other night (the Duke of Somerset) who said that, of course, the title would be used in England, and that it would be used not merely by the Sovereign, but by other Members of the Royal Family. That argument is very shortly answered. I will read to your Lordships what was stated on these points by the Prime Minister. He said—

> "The noble Lord who has just addressed us has put the case very fairly before us. He gives myself and my Colleagues credit for being sincere in the statements we have made, and feels that we have given honest advice to the Sovereign—and that advice, I am bound to say, has been received with the utmost sympathy—namely, that the title which Her Majesty has been advised, for great reasons of State, to assume, shall be exercised absolutely and solely in India when it is required, and that on becoming Empress of India she does not seek to be in any way Empress of England, but will be content with the old style and title of Queen of the United Kingdom. To all purposes, in fact, Her Majesty would govern the United Kingdom as she has always governed it."—[3 *Hansard*, ccxxviii. 320.]

As to the Members of the Royal Family, he said the advice which the Government gave to the Crown and which was received with sympathy was that no change should be made in, if I may use the term, the courtesy titles of the Royal Family. That appears to me to terminate this point.

But the noble Duke (the Duke of Somerset) had another string to his bow on this part of the question. He said—"But suppose you provide for the Sovereign exercising the title in the way which you say, you must look at the other side—What will people do after the Bill is passed even with these limitations?" It is said that the moment we pass this Bill the country will take up the title of Empress, and that it will in course of time become the ordinary title of the Crown. Now I want the noble Duke who used that argument to contrast it with another which fell from him in the same speech. He said the people of this country disliked the title of Empress—that they would not have it under any circumstances. Now, if that is the case, how does the noble Duke establish his first proposition—that the moment the title is adopted every person will be eager and ready to use it? I must submit to the noble Duke that it is not customary for well-balanced reasoning minds to lay down two antagonistic propositions destructive of each other in the same speech.

My Lords, reference has been made in the debate to the ancient history of France. I do not wish to enter into a controversy on the subject; but there is one part of it which I think may be usefully referred to in answer to the argument of the noble Earl near me (Earl Granville). My Lords, I believe I am right in stating that during the French Monarchy, and down to the termination of the reign of Louis Philippe—a time during which, if there was ever any people attached to the title of King, it was the French people—it was the rule of the French Government that Oriental Potentates in diplomatic intercourse with France should be addressed—and the Sovereign of France in diplomatic intercourse with those Potentates should style himself—Emperor. I have copies of several such documents, during the reign of Louis Philippe, and I have never heard that the practice led to any general introduction of the title of Emperor of France.

I now come to the argument with regard to the Royal style in public documents. In answer to a Question the other night, I said, speaking in general terms, and without referring to any definite form of Proclamation, that where it was necessary to use the whole of the Royal style the whole of the Royal style should, as a general rule, be used. The documents in question I believe may be generally classified as commissions, patents, writs, and possibly charters. It is not from the perusal of documents of that kind that the greatest amount of public information is obtained; but any difficulty which might arise from the new title being used in such cases will be avoided. The Bill authorizes Her Majesty to make such addition to the Royal style and titles as she may think fit. In that respect it follows the measures connected with the Union with Ireland in the year 1801. A Proclamation was on that occasion issued by the Sovereign defining the new title then introduced and stating that it was to be used so far as convenient on all proper occasions. But the Proclamation at the same time provided that on all coinage, as well as stamps, dies, and instruments of that kind, the old style and title should continue to be used. Well, my Lords, I have to state that it is the intention of the Government that the Proclamation to be issued by Her Majesty under this Bill shall comply literally with the engagements which have been given to the House of Commons, and that it will provide in a manner analogous to the Proclamation of 1801—that upon all writs, commissions, patents, and charters intended to operate within the United Kingdom, the Royal style shall continue as it is, without any addition.

There is another, and I believe it is the last, argument that has been advanced—it is said that the new title of Empress of India will overshadow the title of Queen of England. My Lords, that appears to me to be, not an argument, but a mere figure of speech. It is difficult to answer a figure of speech; and I am at a loss to conceive how the great title of Queen of England, unchanged and unaltered and sacred in this country, and beloved by every subject of the Crown, can possibly be overshadowed by the addition of a title apposite and appropriate to and only to be used in India. But, my Lords, to my mind there will be much in the juxtaposition of those two titles that will appear to the people of India to be both significant and appropriate. There will appear in that juxtaposition to be not an obscuring shadow, but a beneficent lustre, and the light, in my opinion, will not fall from the Empress upon the Queen, but from the Queen upon the Empress. My Lords, the Sovereign of this country is in substance and in fact the Empress of India, but she is Empress of India because she is Queen of England. India does not possess in herself that capacity for self-government which we enjoy; but Providence has fortunately placed her under the power of this country—a power which, while in its action upon India it is paramount, is at the same time in its exercise checked and controlled by all the limits and responsibilities of Constitutional Government. My Lords, it is in the two-fold aspect of this paramount power — its aspect of origin and limit on the one hand, and its aspect of incidence and action on the other—that the pre-eminent fitness of this two-fold title is to be found. And, my Lords, when this measure goes forth to India, bearing—as I trust it will bear—to the Chiefs and people of that great world the assurance that their destinies and interests are indissoluby united with those of this Empire, it will serve to remind them at the same time that the Sovereign who claims their submission and allegiance is not only, and not primarily, Empress of India, but that her first, her greatest, her most grateful title is that of Queen of England.

Lord SELBORNE: The noble and learned Lord who has just sat down, in his very able speech, has reminded me of that power which is said to be possessed by one of the noblest animals in creation—namely, that of picking up with the peculiar instrument with which it is armed either the largest trees or the smallest objects with equal facility. With his practised and ingenious eloquence he has gone over almost all the arguments which have hitherto been used by the advocates of his side of this question. Two only of those arguments were not mentioned by my noble and learned Friend. I am happy to say that we did not hear him repeat something which I think inadvertently dropped from the noble Duke opposite the other evening, who told us that because Her Majesty's Ministers had announced their intention, if this Bill passed, to advise Her Majesty to assume the title of Empress, therefore your Lordships, by voting for the second reading, would be recording your votes in favour of that title. That argument, I am happy to find, has not been repeated. Another argument of greater importance, and which certainly made no slight sensation in the country, we did not hear from my noble and learned Friend. He has made no reference whatever to the advances of Russia in Central Asia—he has not stated his opinion to be that the assumption of the title of Empress by Her Majesty will have any effect in checking any danger from those advances. I therefore infer that, on further consideration, it has appeared to Her Majesty's Government that the Russian argument is not one on which they can safely base their proposal. The noble and learned Lord has taken the same ground as the noble Duke (the Duke of Richmond) took, when he said that the alternative in the case is between the title of Empress and the title of Queen; and I, for one, am perfectly willing to meet Her Majesty's Government on that ground. We know what other titles have been suggested by other persons. I will not inquire whether any of them are really available or not, because I do not hesitate to express my own clear and strong conviction that the title of "Queen" is that which it would be most fitting for Her Majesty to retain throughout the whole of her dominions; and I want to know why Her Majesty is not to retain that title with special reference to India? By what title did Her Majesty in 1858 assume the government of India? By the title of Queen; and that, your Lordships will remember, not in a document requiring by law the exact legal style and title of the Imperial Crown—in a document which did not, in point of fact, follow that exact legal style and title, for the language of that Proclamation ran, if I recollect, thus—"Victoria, of the United Kingdom of Great Britain and Ireland and the Dependencies thereof in Europe, Asia, Africa, America, and Australasia, Queen:"—that is, of the whole of the Dependencies of the United Kingdom in Asia—which I presume include India—Queen. If, then, Her Majesty could assume the government of India by the title of Queen, why should she not continue to govern India by that title? Has she not continued ever since to govern India by the name of Queen? Eighteen years have elapsed, and by that name it is that she has become endeared to the people of India. That name has been incorporated in all public Acts and documents, in all laws of the British dominion in India since 1858. Your Lordships will pardon me if I remind you of the language of those laws on some points. In the Indian Penal Code of 1860, the name "Queen" is defined as expressing the Sovereign of the United Kingdom of Great Britain and Ireland for the time being; and the 4th section of that Code, taking notice both of the territories under the direct government of the Crown and of those under Native Princes, says—

> "Every servant of the Queen shall be subject to punishment under this Code for every act or omission, contrary to the provisions thereof, of which he, while in such service, shall be guilty, within the dominions of any Prince or State in alliance with the Queen, by virtue of any treaty or engagement heretofore entered into with the East India Company, or which may have been, or hereafter be, made in the name of the Queen by the Government of India."

Section 121 makes it a capital offence to "wage war against the Queen." Sections 125 and 126 impose punishments for the offences of "waging war against the Government of any Asiatic Power in alliance or at peace with the Queen," and of "committing depredations on the territories of any Power in alliance or at peace with the Queen." Other sections relate to offences by persons "in the military or naval service of the Queen." Section 230 defines "coin stamped and issued by the authority of the Queen, or by the authority of the Government of India, or of the Government of any Presidency, or of any Government in the Queen's dominions," as "the Queen's coin;" and the offences of counterfeiting and debasing "the Queen's coin" are made punishable by the succeeding sections. The Code of Criminal Procedure, Section 300, gives power to take security for good behaviour in a variety of cases, according to a form which recites that the party has been "called upon to enter into a bond to be of good behaviour to Her Majesty the Queen, and to all her subjects." And so, throughout the Code, Her Majesty as Ruler of India by the name of Queen is recognized—it is the constitutional language of the law at the present moment throughout British India. Where, then, is the difficulty of adhering to the title which has been used during the last 18 years without mischief or misunderstanding—which has been embodied and incorporated in the whole of the law of British India, and which is to this day in use there. The noble Marquess opposite (the Marquess of Salisbury) said last week that the title "Empress" is more appropriate than that of "Queen" because it signifies "Ruler of Rulers;" and the noble and learned Lord (the Lord Chancellor) said to-night that the title "Empress" is fitter because it means "Sovereign of Sovereigns;" and in that way it is supposed to express more accurately than the name "Queen" the relations of the British Crown to the Princes of India and to those territories which Her Majesty does not directly govern. Now, every part of that argument appears to me to be without foundation. First of all, I entirely deny that there is the least foundation for the assertion that the name of Empress expresses "Ruler of Rulers," or "Sovereign of Sovereigns,"—that it ever did, or ever will, according to the proper meaning of the word. We all know that was not its original meaning. If we go back to the original meaning, it meant the Commander-in-Chief of Armies. But what is the sense it has acquired by usage? As far as my memory goes, there is only one dominion in Europe that has hitherto been described by the name of an Empire, which happens, among its other accidents, to have had this particular accident of the Sovereign being, in some sense, a Ruler of Rulers. And, on the other hand, there have been Kingdoms to which that accident was equally applicable. The old German Empire, and perhaps also the new one, may, with some propriety of speech, be described as being a dominion in which the Emperor is a Ruler of Rulers—not, I think, a Sovereign of Sovereigns. And there, with great deference to my noble and learned Friend, his language seemed to me less accurate than that of the noble Marquess opposite. Taking whichever word you please, the former German Emperors of the now dissolved German Empire were Princes elected by other Princes to a certain kind of primacy, and they were called Emperors. It would, therefore—as far as this precedent goes—be just as correct to say that the word "Emperor" signifies better than "Queen" an elective title, as to say that it signifies a Ruler of Rulers. The title of the present Emperor, recently created in Germany, really rested on the invitation of those other Rulers to him to assume that title: and if that single instance is to impose a new stamp on the meaning of "Emperor," I again say, that election or invitation is as much implied by the title as "Ruler of Rulers." All other Emperors that I have ever heard of have not been Rulers over Rulers. Is the Emperor of Brazil a Ruler over Rulers? Was the late French Emperor a Ruler over Rulers? Is the Emperor of Russia—or was he before the late conquests in Central Asia—a Ruler over Rulers? Is the Emperor of Austria a Ruler over Rulers? I say that the word "Emperor" in its proper sense has no application to the object to which it is now intended to apply it. If the fact of being Rulers over Rulers is peculiar to Emperors and not to Kings, how do you account for the Kings of France having been, as they were, Rulers over Rulers? My noble and learned Friend referred to the Proclamation of Lord Canning, and to the authority of those who he said are best acquainted with India. The word Empress is not in that Proclamation of Lord Canning to which my noble and learned Friend referred. We have heard the speeches of two of those persons in this House: and I have seen what has been said elsewhere by others of them. I do not find that any one of them anywhere has said that this word Empress was that best suited to express the relations of the Queen to the Princes and States of India—unless, indeed, it is the Gentleman who is reported to have argued, that we ought to regard the Queen as the direct successor by conquest of the Great Mogul. In this House we heard the opinion of a noble Lord who has been Governor of Madras (Lord Napier and Ettrick), and, certainly, of all the opinions expressed in this House by independent Members, that of the noble Lord has been, on the whole, the most favourable to the views of the Government. But what did he say? Did he say that he thought this word Empress would appropriately express the relations of the British Crown to the Native States and Princes of India? On the contrary, if I remember rightly, the noble Lord said he did not think it was exactly appropriate for the purpose; he thought that another expression which, at the least, has the advantage of large generality and indefiniteness, and also another advantage of not being fixed in any sense by previous use—namely, the expression Paramount Power—

Lord NAPIER and ETTRICK: Paramount Sovereign.

Lord SELBORNE: He thought that Paramount Sovereign was the title best calculated to express the actual position of the Crown in India. If I rightly apprehend the meaning of those words, it is that the Queen is the Great Sovereign of India, whose power is paramount to all other Powers in that country. The noble Lord is not satisfied that this word Empress, according to any known signification of it, accurately describes the existing relations between the Crown and the Princes and States of India, and he described those relations by words certainly not equivalent to Empress. But the noble Lord was preceded in the Government of Madras by another public servant of no small general attainments and of considerable knowledge of India—Sir Charles Trevelyan. He has suggested that the style of the Queen should be "Victoria, by the grace of God of the British Isles, of the Colonies, and of India, Queen." Therefore these two great Indian authorities do not think the word Empress is properly expressive of the relations between the Crown and India: and one of them prefers the title of Queen. But what said a noble Lord who, with perfect respect to the other distinguished persons I have referred to, is, I venture to think, a still higher authority? What said Lord Lawrence, the late Governor General of India? He said he did not doubt that the Princes of India would receive with satisfaction the assumption by Her Majesty of the title of Empress; and my noble and learned Friend has, no doubt, availed himself of that testimony of the noble Lord. But my noble and learned Friend did not also remind your Lordships that Lord Lawrence went on to say, that the Princes and States of India would receive with equal satisfaction the assumption by Her Majesty of the title of Queen of India. He did not stop there. He said the title of Queen was popular and would be universally accepted by the people of England, while the title of Empress was at least with a large part of the people of England unpopular and unacceptable; and that, when that fact became known in India, it would be enough to turn the scale in favour of the title of Queen, and the people and Princes of India would be better satisfied with that title. My Lords, I cannot but think there may be some possible danger—and that there can be no possible gain—in departing from the guarded and careful manner in which, in the public, legal, and authoritative documents hitherto in force in India, Her Majesty's relation to those territories in India, which she does not directly govern, is described. Your Lordships will, perhaps, allow me to remind you once more that the Princes and States of India are described in those formal and legal documents, as Princes and States in alliance with the Queen by virtue of treaties and engagements. It has not been thought necessary, it has not been thought wise, to attempt to define by any term indicative, or which might be thought to be indicative, of a direct assumption of

Sovereign authority, the multifarious relations, differing greatly in different cases, which exist between Her Majesty and the various Native States in India. My noble and learned Friend (the Lord Chancellor) referred to such great Princes as Scindiah and Holkar and the Nizam, and he asked your Lordships what would they think the assumption of the title of Queen of India would imply? I think it was imprudent for my noble and learned Friend to ask that question. He might well have been content with the answer given to it by the noble Lord behind me who was Governor General of India —namely, that they would not think much about it: because, if it were really to be apprehended that they would regard with so much anxiety the use of the title of Queen, it was surely at least as probable, that they might inquire whether some new assertion of power was not intended on the part of Her Majesty by the assumption of the title of Empress. The noble Duke opposite (the Duke of Richmond) read an extract from a speech which Lord Palmerston made in February, 1858. I own I think that the language of that, and of another speech of Lord Palmerston, in support of the Bill for the transfer of the Government of India to Her Majesty is extremely different from the arguments we have heard as to the proper signification of the word Empress as defining our relations to all the States and Princes of India. In April, 1858, Lord Palmerston expressly declared his agreement with a previous speaker in the same debate, who had said that India is not like one of our other possessions abroad, that it does not contain only a single population, that India is not all under our sway, and that the Indian Government involves relations with independent Princes. When we come to examine those relations, it is very probable, that the word "independent" may require a great deal of qualification as to every one of those Princes. But is it wise, when we have admitted them to be independent Princes, in a broad and practical sense, now to adopt a new term for the express purpose, as we are told, of giving the most accurate possible description of our exact relation towards them? May they not inquire what is meant by the word Empress in other countries, and will the result of that inquiry be entirely satisfactory? I venture to think it will not. It cannot be contended that Her Majesty, whether as Queen or as Empress, exercises sovereignty over all the territories of Hindostan. And why not? Because there are others who have sovereign powers in Hindostan besides ourselves and the Native Princes. The settlements of France and of Portugal in those territories may be small in extent as compared with ours or with the territories of Native Princes, but nevertheless they form part of Hindostan, and by no possible use of the word "Empress" or "Queen" can Her Majesty be supposed to assume the sovereignty over the whole of that Peninsula. Whichever title is used, the word "India" must be taken in a sense not universal; and that being so, ordinary policy and common sense oblige us to say that its actual application to any particular territory must be defined and understood according to the actual relations of this country to that territory. My Lords, that being so, is it not clear that it is better to adhere to the use of the word "Queen," which is the word by which Her Majesty is now described here and in India, and in all other parts of the British territory throughout the world? For my own part, I should have thought that there could have been no doubt on that point. But, my Lords, the argument does not stop there—because, as I view the matter, the word "Empress," thus applied specially to India, is at variance with the ancient constitutional use of the words "Imperial," and "Empire," with respect to the British Crown; a use to which the Bill itself bears testimony. The clause of the Bill to which I refer proposes to authorize Her Majesty to make such addition "to the style and titles at present appertaining to the Imperial Crown of the United Kingdom and its Dependencies as to Her Majesty may seem meet." I do not entirely agree with what was said by the noble Lord behind me the other evening, that the word "Imperial," occurring, as it does, throughout the whole series of great constitutional statutes affecting the Crown, is no more than an epithet. It is more than that; it has reference to the word "Empire," which is used in several of those statutes. In the Statute of Appeals

(24 Henry VIII., cap. 12) we find these words—

> "This realm of England is an Empire, and so hath been accepted in the world, governed by one Supreme Head and King, having the dignity and Royal Estate of the Imperial Crown of the same."

And in the last Act of that class, that which effected the Union with Ireland (39 & 40 George III., cap. 67), it is recited that it was an object of the Union "to consolidate the strength, power, and resources of the British Empire." What, then, does the word "Empire" mean in these great statutes, and what is the meaning of the words "Imperial Crown?" The meaning of those words is that the Imperial power, over all the dependencies and Foreign possessions of this country, resides in the United Kingdom of Great Britain and Ireland, and in its Crown. That Imperial power resided originally in England, afterwards in Great Britain; it now finally resides in the United Kingdom of Great Britain and Ireland. That is the Empire, and that is the Imperial Crown; and this Parliament of which your Lordships are Members makes laws, as such, whenever it is found necessary, for India, and for the British colonies and plantations in every part of the world; it is an Imperial Parliament; and the head of this Imperial system is the Queen of the United Kingdom of Great Britain and Ireland. Can it be maintained, therefore, for a moment, that you can take out of that Imperial system one portion of our territory and treat it as though Her Majesty ruled it by a different title from that by which she governs the other parts of the Empire—not by virtue of the Imperial Crown of this Realm, which she holds, not as Empress, but as Queen—but by virtue of a new title—that of Empress of India? I submit that it is not as Empress of India that Her Majesty rules over that country; it is as Queen of Great Britain. You cannot sever the Imperial quality from the United Kingdom of Great Britain and Ireland, or from the Royal Crown of that kingdom, and apply it to one portion of Her Majesty's dominions only; and if you attempt to do so I venture to say that you will be violating the true construction of these words, in the only sense in which they can constitutionally be used. The noble and learned Lord on the Woolsack, when referring to the state of public opinion on this question, applied tests which I should hardly have thought would have approved themselves to his mind. I should have thought that no number of *Whitaker's Almanacks* or Kurrachee medals could have any tendency to establish by usage an alteration in the style and title of the Crown which was not authorized by law. There is all the difference in the world between the use of inflated language by unauthorized individuals, and a solemn and formal addition, by an Act of Parliament, to the style and title of the Crown. The noble and learned Lord referred to *Debrett's Peerage* in proof of the popularity of this change in the Queen's title; and he put me in mind of the following lines:—

> "Lament, lament, Sir Isaac Heard!
> Put mourning round thy page Debrett!
> For here lies one who ne'er preferr'd
> A Viscount to a Marquis yet."

No doubt, it may be natural for that character of mind which those lines describe, to prefer, not only a Marquess to a Viscount, but an Empress to a Queen. Certainly, the Imperial style is harmless as long as it appears in unauthorized publications; but it is absurd to refer to such things as having paved the way to a deliberate alteration of the Royal title by statute. There is, however, another test by which we may learn, even from the conduct of Her Majesty's Government themselves, what is the feeling entertained by the country on the subject of this proposed change in the title of Her Majesty. Her Majesty's Government have pledged themselves that the title of Empress shall be used only in reference to India; but if the title is as popular in England as Her Majesty's Government say it is, why avoid touching it in this country as you would avoid touching poison, and why speak of it here "with bated breath and whispering humbleness?" I should have thought that nothing should have been added to the style of Her Majesty which might not have been blazoned forth in the face of all the world and have appeared at the head of every State document in England, as well as everywhere else. It is by the promise to localize this title in India that Her Majesty's Government have distinctly admitted their knowledge that the name is unpopular in this country. Let us have some title selected which may fitly express the supremacy of Her Majesty in

India, which may give satisfaction to the Native Princes of India, and which will give offence to no single human being in this country. The argument appears to me irresistible that no addition should be made to the style and title of the Queen which cannot be everywhere used, and which cannot always be inserted in all charters, letters patent, and other documents in which it has hitherto been thought proper to set out Her Majesty's titles in full. It is certainly not necessary to set out the Royal titles in full either upon coins or on stamps; but it has been laid down, by high legal authority, that it is necessary to do so in such documents as writs and charters. As far back as 1678 the Court of King's Bench quashed and set aside a writ as bad in law because it omitted from the style of King Charles II. the title of King of Scotland; and unless words are inserted in this Bill to meet the case, I incline strongly to the opinion that the title which may be taken by Her Majesty must be universally used in instruments of that character, unless it is meant to run the risk of bringing into doubt the validity of those instruments. It has been contended that addition to the Queen's style is not alteration; but I must be pardoned for taking an opposite view; and I must say further that in dealing with a question affecting that style, associations and sentiments are most important. Her Majesty worthily represents an ancient and honourable title, whose lustre has not only remained unimpaired, but has gone on continually increasing; and while it has never, until now, been thought necessary to add anything to the simple, noble, and august name of Queen, time and events have been unable to subtract anything from its dignity. The feelings of the English people are wrapped up with the glories and great traditions of the Monarchy, in which the grand and simple name of Queen occupies the central place. I feel convinced that the very loyalty of those of Her Majesty's subjects who object to the advice which Her Majesty's Government have thought it their duty to offer to the Queen compels them to the course which they have taken. The hold which this title has upon the feelings of our fellow-countrymen has continually been strengthened, while transitory Empires in other countries have risen and fallen, and while modern Republics have been searching in vain for the secret of that authority which our Queen has inherited from the past. Whatever else may be thought upon the subject, I am sure your Lordships will agree with me that it is the duty of those of your Lordships who do not think that the strength, honour, and dignity of the Crown will be really enhanced by this addition to its title—who think that the course proposed is one which involves at least some risk of disturbing those hallowed associations which have centred round the name of Queen—openly to declare their sentiments and to support by their vote what they hold to be the wiser course. Our duty is not only to defend the honour and reverence which surround the Crown of our Sovereign from all external enemies, but also to protest against what we believe to be the misguided counsels of those who are vainly endeavouring to gild its refined gold.

VISCOUNT MIDLETON thought that the discussion of the various points during the debate had brought their Lordships nearer to the real issue—what was to be the precise addition to the titles of Her Majesty. That some addition should be made was, since the Bill had passed its second reading without opposition, a foregone conclusion. The conditions of Her Majesty's rule in India were totally different from that of her rule in England; for in India she exercised a sovereignty over a population much larger than the population of the British Islands—a large part of which owed no allegiance. It had been contended that other titles — such, for instance, as "Lady Paramount," "Sovereign Lady," —would logically express the same fact as to the nature of our dominion over India as the word "Empress;" but those titles seemed to him to be open to the same objection which the noble Earl opposite (Earl Granville) had brought forward with respect to Her Majesty's second title, when he objected to giving Her Majesty "two handles to her name." He (Viscount Midleton) objected, on the other hand, to using two words where one precisely expressed the relation in which Her Majesty stood to India. The word "Empire," properly used, signified three things—the right to conclude peace, the right to declare war, and the right to direct military operations on behalf of countries the inhabitants of which were not subjects of the Sovereign Power, and owed it no direct allegiance. Such was the nature of the Empire of the First Napoleon, of the present German Empire, and of our own Indian Empire, which no one ever yet heard called a Kingdom. With regard to the effect which the adoption of the title of Empress would have in India, he would observe that it was absurd to suppose that men possessed of the intelligence of Holkar and Scindiah did not already know their true position in reference to the Crown of England, or that any hopes would be excited or any fears raised in their breasts by the assumption by Her Majesty of that title in India. As to the general effect of the proposed change of title in that country, he would appeal to the authority of the late Governor General of India (Lord Lawrence), who had distinctly stated that he thought any addition to the Royal title embracing India would be received with pleasure, although he had no special liking for the particular appellation in question. The view of that noble Lord had been confirmed, and even in stronger terms, by the late Governor of Madras, who, preferring a special title in respect of India, was in favour of one which would distinctly express the sovereign power in India. But then came the sentimental objection based upon the effect which it was supposed the addition to the title would have on the people of this country. Now, he admitted that was an objection with which it was extremely difficult to deal, because it was so exceedingly difficult to ascertain what was the exact force of public feeling on any particular question. To whom were we to look for it? To the Press? But the Press was, after all, at the mercy of a comparatively small number of individuals, who were as likely as others to be mistaken. When, too, the measure was first announced to the world it met with the approbation of the Press, and although there had since been an alteration in its tone he did not think that fact warranted the statement that public opinion in this country had declared itself hostile to the proposal of the Government. To take another test. If there was anyone in this country who might be supposed to understand pretty accurately public feeling, it was, perhaps, Mr. Gladstone. Yet when he, acting upon his view of it, very recently made an appeal to the constituencies, the answer which they returned was not such as to justify the belief that he really knew what the country felt and thought. No one, he admitted, had a better right than the noble Earl who moved the Address to the Throne that evening (the Earl of Shaftesbury) to speak on behalf of the working classes, to whom his whole life had been one of devotion; but personal experiences in such matters were always liable to prove deceptive. He might, however, remark, in reply to what had fallen from the noble Earl on that point, that he himself, in the late Parliament, had represented a constituency numbering some 15,000 electors, composed almost exclusively of the middle classes, leavened by a considerable infusion of the best among the working classes, and that although he was in constant correspondence with them, ever since he ceased to represent them directly, and they were in the habit of communicating freely with him on matters of public interest, not one of them had addressed one word of censure to him on the course which the Government proposed to adopt in the present instance. He warned the House, therefore, against being misled or frightened, as he feared the noble Earl who introduced the Motion had been by his own shadow, and against admitting those gloomy anticipations for which he believed there was no ground whatever. With respect to precedents, it was useless to appeal to the history of this country for precedents in a case which was in itself unprecedented. He believed, indeed, he could find a precedent as far back as the time of our Saxon forefathers, in the case of a Saxon King who asserted that he was Emperor of all Britain. The strength of his position, however, lay in this—that never since the world was known had there been an Empire of the same kind, attended with the same incidents, and held by the same power as the Empire of India was held by England. Precedents, therefore, might be dispensed with. As to the gloomy apprehensions which had been put forward regarding the effect of this change, he had greater confidence in the common sense, the reasonable feeling, and the unalterable loyalty of his countrymen than to believe that the proposed addition to Her

Majesty's title would shake the foundation of the English monarchy or imperil the English Crown or Constitution. In conclusion, he wished to say that he had heard with surprise the remarks which fell from the noble Duke opposite (the Duke of Somerset) on the previous evening with respect to those who supported the Bill. The noble Duke had spoken as if their only ground for so doing was either a blind adherence to Party ties, or a still more odious motive, which he (Viscount Midleton) believed would not have dominion over any Member of their Lordships' House. As a humble and independent Member of that House he repudiated the noble Duke's insinuation. He at least was not open to the charge of supporting Her Majesty's Government when he was unable to arrive at the conclusions to which they had come. He should give his vote to Her Majesty's Government heartily and conscientiously, because he believed them to be right, and for himself and those who took the same course he asked noble Lords opposite to give them credit at least for this—that in the vote they should give that night they were actuated by no mere Party instinct, but that they had a clear conception of what they were doing—that they were not false to all the traditions of their Lordships' House, but that the vote they should give would be dictated, as he trusted it had always been, by feelings of due regard to the safety, the honour, and the welfare of our Sovereign and her dominions.

Lord SANDHURST said, that the title of Queen had hitherto satisfied the relations which existed between her and her Indian subjects, and he therefore asked what reason there was for the change? It appeared to him the speech of the noble Lord on the Woolsack had not touched the marrow of the question. If they changed the Royal title there arose the question of the constitutional authority. It was difficult to say what was the idea of the Indian people as to authority. The title of "Queen" did not represent to them a purely despotic idea. They were habituated to appeal for redress to "the Queen in Parliament" and not to the autocratic authority symbolized by the word "Emperor" or "Empress"—a title much more suited to their idea of the Russian or French Monarch, than to the Constitutional Sovereign of England. It was to "the Queen" that appeals from India were made; and since 1835 the image and superscription and the title on the Indian coinage were those of William the Fourth and Victoria, King and Queen of England. The present name of our Sovereign and her relation to India were thus familiar to all classes of our Indian subjects. It was said that the substitution of a new foreign title for the old one would have a great effect on the people of India; but the answer to that was that both "Queen" and "Empress" were translated into the Native languages by the same words. It was difficult, therefore, to conceive how the mere alteration or substitution of one foreign title for another, the people not understanding the language to which either title belonged, could have any effect in India. To attribute even the shadow of importance in the sense of its being gratifying to the Native population of India was therefore absolutely contrary to fact. Therefore, it seemed to him that this was not an Indian, but an English question, and he was bound to say that all he had heard tended to confirm what the noble Earl who first spoke (the Earl of Shaftesbury) had said as to the unpopularity of the Government proposal. It mattered very little to the people of India which title was adopted; but the discussion which the Government had provoked on this subject might be productive of danger. Who could tell what the effect would be of stirring in this way the feelings of the vast population of India, by producing uncertainty and doubt where they did not exist before, and introducing novelties the object of which was unintelligible. At all events, to give rise to such discussions as they had lately listened to in and out of Parliament was most unwise, whether as affecting the minds of the Princes subject to British rule or the educated sentiment of this country. In short, it was impossible not to view the measure as unwise and inauspicious, perhaps more unwise and even mischievous than any to which the Government of this country had been committed for a long series of years. In view of these considerations, and as one who had a deep regard for the Monarchical institutions of this country, he entreated their Lordships to support the Motion.

The Earl of FEVERSHAM said, he had heard a great amount of declamation and some vituperation in these debates, but no real tangible argument against the addition of "Empress of India" to Her Majesty's title. It had been urged in opposition to this step that it was proposed to change the title of Her Majesty. He yielded to no man in his admiration and affection for the title of "Queen of England," but he maintained that the title of "Queen" remained unchanged by this Bill, and that the title of "Empress" was in addition, and would be accessory and subordinate to it; and so far from losing dignity by that addition, as some seemed to think, he believed the dignity of the Queen of England would be enhanced by it. He denied that that proposal was not in accordance with history. Our Indian Empire had been created, maintained, and extended by the prowess, valour, and enterprize of the English nation, which, in the possession of that great and varied Empire, had all the attributes of an Imperial position: for Her Majesty as the supreme head of such a country "Empress" was no doubt the most appropriate title. The people of England, proud of their independence, and also proud of their Empire, were equally jealous of any attack upon either. The noble Earl who had moved the Resolution (the Earl of Shaftesbury) had professed to speak the sentiment of the people of England and had particularly referred to the people of the North of England. Now he (the Earl of Feversham) happened to know something of the feelings of the people in the North, and he must say that, from all the information he could gather, he did not learn that there existed that popular hostility towards this measure which the noble Earl would lead them to suppose. When he looked at the history of England and remembered the great public liberty which the people enjoyed, he confessed himself astonished that the Liberal Party should have such a poor idea of what the power of the Law of this country was, and of the strong and broad basis on which the Constitution was established, as to imagine that there was any real danger in a mere addition of this nature to the Royal title. He believed that the country generally entertained no such chimerical apprehension, and was ready to see the Sovereign assume an addition to her title which would fitly mark the transfer of the Government of India to the Crown. In a work on India lately published there was an account of a great durbar held there by Lord Lawrence as Governor General in 1867. On that State occasion the Viceroy, representing, for the first time at a general durbar, not merely a Company of Merchants, but the Queen of England herself, was described as having spoken of Her Majesty as Empress of India; and in presiding over an investiture of the Star of India, that noble Lord said that in conferring through him the title of Grand Commander of that Order on a Native Prince, "the Empress of India" wished to thank him for his fidelity and his signal services during the Mutiny. The noble Lord opposite (Lord Lawrence), therefore, himself employed the very title they were now discussing in addressing the Sovereign Princes of India 10 years ago. The Prime Minister had been taken to task for venturing to refer in the other House to the Russian advance in Central Asia. He (the Earl of Feversham) would ask the noble Lords on the other side of the House to free themselves for a moment from Party considerations. This question had been argued on their side from a narrow insular point of view, but it should be argued from an Indian point of view. He would ask them to cast their eyes across the great Empire of India and observe the approach of the great Empire of Russia to our frontier. He did not say he was jealous of the approach of Russia, he believed the annexation of the barbarous countries of the East might tend to the civilization, or, at all events, to the increase of the trade and commerce of those countries, but he did not see why England and Russia—those two great Asiatic Powers—should not exist together upon terms of amity. But supposing the two Empires touched each other, or nearly so, would it not be an advantage that the people of India should be able to regard their supreme Ruler as occupying the same exalted position as the Emperor of Russia? It seemed to him that for this purpose it was desirable that our Sovereign should be styled "Empress of India." Looking as this as an Indian question he would remind their Lordships that the two greatest authorities in that House upon Indian subjects had testified that the people of India would receive an addition to the title of the Sovereign directly connected with India with great satisfaction, and that neither had expressed themselves as, on the whole, dissatisfied with the title of "Empress," he regretted that the noble Earl who had moved the Resolution should have attempted to mislead the people of England by inflammatory declamation. A great responsibility rested on those who attempted to rouse the feelings of the people of this country against authorities and institutions instead of educating them and showing them the right patriotic and just course to pursue, and, therefore, he thought the noble Earl had acted most unwisely in moving a Resolution adverse to the present proposition, thereby depriving it of the grace which the general approval would impart to it. He unhesitatingly opposed the Amendment, regarding, as he did, the proposal of Her Majesty's Government to be wise and politic.

The Earl of ROSEBERY could honestly say that in the whole course of the few years that he had been in that House he never rose to address it with greater reluctance than on the present occasion; but he felt constrained by a high sense of duty to oppose the measure introduced by Her Majesty's Government. And that he believed was the feeling of all those who had addressed the House on that side against that proposal. The noble Duke who introduced the measure (the Duke of Richmond) had characterized the course of the Opposition on this subject as a course of Party opposition—and on another occasion he made a pointed allusion to himself (the Earl of Rosebery). He would not attempt to imitate the peculiar suavity of the noble Duke; he would content himself with saying that there never was a more uncalled-for and injudicious imputation. Had the opposition to this measure been a Party opposition, what would have been more easy in the House of Commons than to have delayed the progress of the Bill throughout its different stages in that House. Certainly such imputations as those made by the noble Duke were not calculated to throw oil on the troubled waters which divided the two great Parties which had ranged themselves in opposition to each other on this delicate question. The noble Marquess the Secretary for India had complained of the absence of arguments on the Opposition side. With every respect for the noble Marquess he (the Earl of Rosebery) must say he had not heard a sentence from the promoters or advocates of the measure that deserved the slightest consideration as an argument. One of the difficulties of the debate was the attempt to grasp anything like argument in what the other side had advanced. The noble Marquess opposite referred to some instances in which Her Majesty had been called Empress of India. All that had been said about the Queen of England having been occasionally styled Empress of India only proved this—that the title had been wrongly given to Her Majesty; because it was obvious that if she were really entitled to be so styled there was no occasion for this Bill. The noble Duke opposite (the Duke of Richmond) brought forward two arguments of a negative character. He said there was no feeling in the country against this proposal of the Government, and he referred to the absence of meetings and Petitions as evidence that the public feeling was in favour of and not against the proposal of the Government. But the papers which he (the Earl of Rosebery) read led him to come to a conclusion widely different from that of the noble Duke. There had been a great meeting in the City of Manchester, which adopted a Petition praying Her Majesty not to accept the title of Empress. A similar Petition had been agreed to in the ancient and loyal City of Edinburgh and at Liverpool. There had been meetings all over the country which had emphatically declared against the proposal of the Government, and at the present moment the provincial journals teemed with announcements of further meetings for further deprecation. The noble Marquess (the Marquess of Salisbury) flaunted triumphantly in the House in support of the Bill a Petition to which signatures had been obtained in four hours by the incumbent of Blackpool: but he (the Earl of Rosebery) declined to recognize the incumbent of Blackpool as a suitable exponent of the wishes of the nation on this question. In Selden's "Titles of Honour" and in "Blackstone" were to be found passages which bore the strongest testimony to the dignity of the Crown of of England; and if, after having always maintained that the Sovereign of this country was the equal of all other Rulers in the world, we were to condescend to make our Queen an Empress the whole of Europe would laugh in our faces. He much regretted the absence of the noble Earl the Foreign Secretary, because from his own ancestral history he might have shown that the King of England was entitled to occupy the position of a Ruler of Rulers. Not much more than 100 years ago the Earls of Derby were Kings in Man, and yet as such they owed feudal allegiance to the Kings of England. The Kings of England had always claimed homage from the Kings of Scotland: William the Lion of Scotland and other Scotch Sovereigns had sworn allegiance to the Kings of England, and the competitors for the Crown of Scotland did homage to Edward the First when he proposed to decide their respective claims. Such Kings were, at all events, of equal rank with the Native Princes of India. Indeed, the arguments that had been made use of in the course of the discussions upon this subject were enough to make King Edward rise from his grave. But, on the other hand, we had modern Emperors—such as those of Brazil and of Hayti—who numbered no Rulers among their subjects, and who therefore by no stretch of imagination could be regarded as Rulers over Rulers. The honest truth was that we had not yet heard the true arguments in support of this proposal to change Her Majesty's title. The proposal could not have been put forward with the view of giving satisfaction to the people of India, because we had been told upon high authority that the people of India were politically dumb; and it could not have been put forward with the object of impressing the people of Europe, because we had always told them that our King was the equal of their Emperors. The truth was, that this alteration of the Queen's title was suggested as being in accordance with the foreign and colonial policy of the present Government. The late Government were always taunted with having no foreign and no colonial policy, and the present Government came in with the intention of initiating a "spirited and an original foreign policy." Consequently, the first act of Her Majesty's Government had been to split up this great Empire, and to separate India from the rest of Her Majesty's dominions. We wished to secure our highway to India, and we purchased 10 votes in the management of the Suez Canal. We wished to secure our Indian Empire from Russia, and we made our Sovereign an Empress. It was impossible to treat the matter seriously—it reminded him of the warlike proceedings of the Chinese—also, by-the-by, governed by an Emperor — who put their chief trust in wooden swords, and shields painted with ugly faces. He trusted we should never be so foolish as to think that the title of Empress would operate as a fortification against a nation of 80,000,000 of people, and which numbered its soldiers by the million. The title affected England as well as India, and his astonishment was great that such a a proposal as this should have been brought forward by the Conservative Party, who, when in opposition, never ceased from warning the House in sepulchral tones not to touch the framework of our Constitution—not to meddle with that which had been perfected by by the wisdom of our ancestors—not to pour new wine into old bottles, and not to mend old clothes with new cloth. And whence came the opposition to this Bill? Not from those who were termed English Republicans and who were opposed to Monarchical institutions, but from those to whom for 16 out of the last 20 years the confidence of both the Crown and of the constituencies had been accorded, and who felt as deeply as the Conservatives the debt which the country owed to its gracious Sovereign. He denied that the opposition to this measure was in any sense of the term factious, or that it was got up for Party purposes. The noble Duke in introducing the Bill said that when the change was first proposed it was generally received with applause by the Press, but that since that time, for some unaccountable causes, the Press had changed its tone. Well, the Press had changed its tone because it was the faithful reflex of the popular opinion, and the Press now knew that the change of title was eminently unpopular among the people. The Government appeared to be very well aware of this, for they now proposed that it should be used in India only, and its use tabooed in this country. So that the Bill might properly be labelled "Poisonous—for outward application only." It was salutary when applied externally, but poisonous when applied to the inner working of the Constitution. He ventured to say on behalf of those who sat near him that they would be glad if a division on this delicate and painful subject could be avoided. They were anxious to avoid a division, not, however, because they would thereby avoid a defeat—they were accustomed to that on that side the House—but because they believed the proposal of Her Majesty's Government to be derogatory to the Crown, as well as unwise and unnecesssary. Above all, they feared that by touching the outward form of the Monarchy they might in some sort touch its inward spirit and dignity.

THE EARL OF HARROWBY said, that when it was first announced that an addition was to be made to the Royal style and title in respect to India, every one anticipated that the title would be that of "Empress." The facts suggested it. We always spoke—even those who were most strongly opposed to the proposal of Her Majesty's Government—of our "Empire" of India—the natural sequence was that the person who ruled over an Empire was an "Emperor" or "Empress," and he had heard no sufficient reason for supposing that that which had naturally occurred to the minds of all men was an erroneous idea—namely, that the Queen of England should as ruler of the Empire of India be styled "Empress." For some time after the proposal had been brought forward there seemed to be a general unanimity on the subject; and at the outset the principal opposition in the other House of Parliament consisted of two ex-Cabinet Ministers, who in debate made a great explosion on the subject; but were nevertheless unable to command the support of those who usually followed them. They then appealed to the country and sought to persuade the people that there was something very dangerous in the assumption of the proposed title; and they pointed to a toast proposed at a Lord Mayor's dinner, and to some words which had been used after dinner by a foolish clergyman as a sure proof that the title of Queen would be overshadowed by the superior dignity of Empress. There could be no reasonable ground for such an apprehension. But surely their Lordships would not be deterred by such feeble apprehensions from giving the force of law to a title which exactly expressed the relations subsisting between the Throne and the Empire of India, which the title of Queen did not. Who ever thought of the Kingdom of India? The expression would be totally inapplicable to the very various relations in which our Sovereign stood to the people and Princes of that vast Empire. He was himself convinced that it would be a great advantage if the people of India were shown that we were desirous of drawing still closer the ties which bound the people of this country to the people of our Eastern Empire.

THE EARL OF CARNARVON: I altogether sympathize, my Lords, with the desire expressed by the noble Earl opposite (the Earl of Rosebery), when he entreated the House if possible to avoid a division on such a question as this. A division would mar the grace and compliment of an act which ought to be hailed with almost universal welcome; in the next place, it would risk the peril of dragging into the mire of political controversy a name which ought to be sacred and above all controversies; and, lastly, it might possibly affect the population of India, leaving we do not know what result behind. We are in this position now—that if there ever was a question of modification or alteration, the course which has been taken this evening places it absolutely out of the power of Her Majesty's Government to recede. It is not necessary for me to go over the whole of the ground which has been traversed in the course of this debate; but I must allude to one point which, though it has not been raised in this House, formed a main ground of the attack levelled against the Bill in "another place." I allude to the fact that no mention is made of the colonies in the alteration which it is proposed to make in the formula of the Crown throughout the whole of this controversy. I have received no evidence of any desire on the part of the colonies to be so included, and I think that in my official position, I should have had an intimation of such desire if it existed. If the time should come when the colonies shall express a desire of the kind, I feel sure that the Government of the day will very carefully consider a proposal of the kind; but I can only say that no such wish has been expressed up to the present, nor have I heard a single expression of dissatisfaction or a single representation from any colony on the subject. The people of our colonies are content to be included under the general title, and it would be inexpedient to propose any change without previous communication with those great communities. Having said thus much on the question as it affects the colonies, I would now make a few remarks on the general question, which resolves itself into a question as to the particular word which shall be used in making an addition to the titles of the Queen. It is admitted that an addition in some form is both necessary and advisable. It is also admitted that there is nothing in the title "Empress" so monstrous, extraordinary, or abnormal as was at first represented; and, lastly, it is admitted that, if any addition is to be made, the present is a favourable time for making it. With respect to the word "Empress" the use of it dates back for several centuries. In a Proclamation Queen Elizabeth describes herself as "Queen of England, Defender of the Faith, and Empress from the Orkneys to the Pyrenees." Coming down to the present time I find that when the Order of the Star of India was instituted it was ordered that Members of the Order should be created on account of services rendered in "our Indian Empire;" and, on the other hand, when the Colonial Order St. Michael and St. George was created, it was ordained that its Members should be connected with "our Kingdom and our Colonial Possessions"—a wide and striking difference. I think this a most appropriate time for making the change. To have added the title of "Empress of India" to the style of the Queen at the close of the Indian Mutiny would have perpetuated the recollection of blood and slaughter; but at the present time it will keep alive in the minds of the Natives of India the recollection of the visit which has just been paid to India by the Prince of Wales—a visit the eminent success of which has been due to the courtesy and ability which His Royal Highness has displayed, and which has won for him the graceful homage of the Native Princes. As far as the title of Empress is concerned I know of no other so applicable. It is generally admitted that in India it is well understood, and expresses the relations which it is intended to represent and convey. The noble and learned Lord who has addressed the House (Lord Selborne) spent a good deal of time in endeavouring to prove that it would not convey the meaning that the personage holding it was a supreme Ruler over Rulers. My noble and learned Friend said that there was not a single instance in which the title of Emperor was used to express relations of that kind. But has he forgotten that during the earliest times the title of Roman Emperor gathered round it many great Kings and Chiefs from the East? Has he forgotten that the earlier Emperors of Germany ruled over tributary Kings, or that the First Napoleon had his ante-rooms crowded with Kings? Has he forgotten the rule, even, of the Mogul Emperor? I contend that if there be one word in the English language which can convey this particular notion of a Ruler over Rulers it is unquestionably that of Emperor. It did convey that in India, for up to the commencement of the present century there was the Mogul Emperor; he reigned legally, and one of the great reasons which induced Lord Wellesley to gain possession of Delhi was in order that he might gain possession of the person of the Emperor. After that he was known simply as the King of Delhi, till the time of the Mutiny. And what was the first act of the mutineers? To proclaim the old King of Delhi as Emperor of India! Since that day the Imperial title has remained dead; and now we propose that the Queen of England, as the Empress of India, shall, as it were, take up the thread of history, and gather round her all the feelings and traditions which the title of Empress of India represents. So much for India. As to England, it has been asserted throughout the debates that the title of Empress is not to apply to India alone, but to this country. But your Lordships have heard Members of the Government over and over again emphatically deny that statement. I am at a loss to know how they can do so in terms more explicit. Ghosts generally appear in the dark—but here they come forward in the full glare of light — in the full blaze of debate. Why is it, then, that we have constantly those phantoms conjured up which have no foundation and no reality? It has been contended that this title of Empress could not be localized; but I should be very sorry if my noble and learned Friend on the Woolsack and the Law

Officers of the Crown should be unable to find some means of effectually securing that object. My noble and learned Friend told us how the Proclamation was to be issued, and that the title would be confined to the measures which run only in India, and I should be very loath indeed to doubt his capability to give effect to that intention. I wish further to point out that all those objections appear to resolve themselves into complete contradictions. It is assumed—in my opinion, on the slenderest foundation—that the title of Empress is eminently unpopular, repugnant, and hateful to the English people. Now there is, I maintain, not the slightest evidence that such is the case; but while we are told that it is hateful to the English people, it is said in the same breath that it is a title which will be immediately adopted in every part of England. These are arguments which appear to me to be entirely inconsistent, and I have greater faith in the good sense and right feeling of the people of this country than to believe that they were founded on fact. The real truth is that all this proceeds in a great measure from a mistake — this is supposed to be a measure which is personal in its nature, and that it has been adopted from personal considerations. For my part, I look upon it rather as making an addition to the honours of the State. I have no wish to overrate its importance. Words cannot make or take away an Empire, any more than the material jewelry in a Crown is of the essence of Monarchy. Such things are mere emblems — the mere trappings and externals of Royalty. The real security for our retaining possession of India rests upon guarantees of a very different kind — upon the maintenance of our power and the wisdom of our rule. But India, nevertheless, is a country where words, after all, carry with them a wider and a greater significance than they do in England, and therefore I claim this title of Empress not so much for the Sovereign as for the State—as one more record of that triumphant power which is the result of a long blazon of historic successes. It is that title which appears to me to be the embodiment of the rule and dignity of England—it is the State carried up, so far as words can carry it, to its highest attributes. It is in the most literal sense in accordance with the words of the Roman poet—

> "Famaque et imperi
> Porrecta majestas ad ortum
> Solis ab Hesperio cubili."

And when the Roman poet made that proud boast he made it not for the Ruler but for the State—not on behalf of Augustus, but on behalf of that great Empire over which Augustus ruled, and to which, after all, this Empire of England approaches more nearly than any other Kingdom which the world has ever seen. It is in this sense I wish to see the Queen of England, who embodies in her private life and in her great office the traditions, the desires — in short, everything that has made this country great—it is in this sense I wish to see her reign as Empress over the broad Continent of India.

Lord HOUGHTON said, he was one of the last advocates of another Government of India in "another place"—for there was once a Government of that country which had established the military prowess of England upon a basis which was almost unique in the annals of history. They overthrew a dynasty and conquered kingdoms. And under what name? Under the modest title of a Company of Merchants trading to the East. They performed exploits and displayed a vigour and courage which could not be improved upon by any name whatever; but it was felt necessary that the extended empire and power of England should be further asserted; and a change in the form of Government in India was effected. When they put down the Indian Mutiny by force, they should then, and then only, have introduced this title. He had good reason to believe that this question was seriously agitated then, but there were very high influences brought to bear upon the proposal; but under the wise counsel of such men as Lord Palmerston, the conclusion arrived at was that the present title of Queen of England as used in the Proclamation was entirely sufficient. If it was sufficient then, and had been sufficient for the 18 years which had intervened, why change it now? They all knew the circumstances connected with the beneficent visit of the Prince of Wales to India. They knew the good that had been effected by his visit to a people among whom personal graces had great influence. Surely nothing had arisen in the circumstances of the visit of the Prince of Wales to India which rendered the change in this title of the Sovereign necessary? He did not understand how the title of Empress touched India at all. Would the people of India connect with the word any different ideas than they connected with the title of Queen? He did not believe that they would, and he could not understand how they should. How was the word Empress or Emperor to be communicated? It would have to be communicated to each nation in a separate language. Therefore it could not be said to be an Indian question at all. It would never come before the Indian people, in any form whatever, except a small discontented, querulous critical population which might be called "Young Bengal," who would try to find every fault they could. This was a serious question. It was not a question of almanacks of this year or last. It was an act which, when once done, was irreversible—once they had altered the title they could not undo it. They would have introduced into the political nomenclature of the country an entirely new word —a word alien, he believed, to the spirit of the English people. The noble Earl opposite had quoted Latin, he should quote Latin also—

> "Multa simul contrà variis sententia dictis
> "Pro Turno, et magnum reginæ nomen obumbrat."

They might give a new title to the Queen—but no name they could give her would add to the permanence of our power in India.

Lord LAWRENCE said, the noble Earl opposite (the Earl of Feversham) had referred to him as having spoken of Her Majesty at a durbar at Agra in 1867 as Empress of India; but, in fact, the language in which he spoke was Hindoostanee—therefore he could not have used the word "Empress." He could not recollect what was the exact word he used. No doubt it was a highly honourable word as it was connected with Her Majesty, and was probably derived from the Persian or Arabic—but he certainly did not use the word Empress. The other night he endeavoured to convey his view that, with all respect to Her Majesty, it would be better as regarded India to use a word equivalent to Queen or Empress, in one of its classical languages rather than simply Queen or Empress. The translation should be suited to the comprehension of the people. But if the Government intended to write out and direct the word "Empress" to be used, the great mass of the people would not understand what the word meant. They would therefore be indifferent as to what it did imply. But if a word was taken which in their own language conveyed to them the power and the authority of Her Majesty, the object aimed at would, no doubt, be achieved.

On Question, That the words proposed to be left out stand part of the Motion? Their Lordships *divided*:—Contents 137: Not Contents 91: Majority 46.

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Resolved in the *Affirmative.*

Earl GRANVILLE said, he had himself the other evening, and a noble Duke by his side had also put a Question to the noble and learned Lord on the Woolsack, as to the limitation of the use of the title of Empress to India. The noble and learned Lord in reply said—

> "He was aware that in 'another place' a very ample and complete declaration had been made. It had been stated elsewhere in the most distinct way that although the intention was that the advice offered to the Crown would be that the ordinary and general use of the Indian title should be confined to India, yet in England, wherever a legal or formal document had to be employed in which the full style and titles of the Crown had to be rehearsed, that style and those titles must be rehearsed at length as they might stand for the time being."

He found that many noble and learned authorities doubted whether a Royal Proclamation on that matter could override an Act of Parliament. Therefore, though he was not an advocate of dual titles, it would be satisfactory to the House to know whether it was proposed to remove that doubt by inserting in the Bill a power to Her Majesty in her Proclamation to limit the use of the title of Empress as she might think fit?

The LORD CHANCELLOR conceived that it was not a question of doubt, but a question of certainty that a Proclamation could not over-ride an Act of Parliament. Nothing that he had stated justified any supposition that the Proclamation would over-ride the Act of Parliament, and therefore he did not think that there would be any necessity for any alteration in the Bill.

Then the original Motion *agreed to:* House in Committee accordingly.

Clause 1 (Power to Her Majesty to make addition to style and titles of Crown.)

LORD SELBORNE said, that as far as he could form an opinion, from the authorities in the law books, the law required a certain class of documents, in order to make them valid, to have affixed to them the full style and titles at present appertaining to the Imperial Crown of the United Kingdom; and the present Bill, as he read the words, did not enable Her Majesty to do anything except to determine what addition should be made to the style and titles now appertaining to the Imperial Crown of the United Kingdom. He apprehended that under those words Her Majesty could not make an addition to the style and title of the Imperial Crown, and, at the same time, proceed to say that that style and title, should not be used in any class of documents in which it had hitherto been required by law that the full style and title should be set forth.

THE LORD CHANCELLOR said, he received with the greatest possible respect any opinion on such a point coming from the noble and learned Lord, who might be quite sure that he would pay every attention to his observation. But he was bound to say, having given the best consideration he could to that matter, he could not take the view which the noble and learned Lord at present adopted. Yet, in deference to the noble and learned Lord, he promised to reconsider the question, and there would be an opportunity of dealing with it. At present it would be unadvisable to enter further into it.

Clause *agreed to.*

Bill *reported,* without Amendment; and to be read 3ª on *Friday* next.

INNS OF COURT BILL [H.L.]

A Bill to make provision for the better regulation and government of the Inns of Court—Was *presented* by The Lord SELBORNE; read 1ª. (No. 47.)

GENERAL SCHOOL OF LAW BILL [H.L.]

A Bill to establish a General School of Law in England—Was *presented* by The Lord SELBORNE; read 1ª. (No. 48.)

House adjourned at a quarter before Eleven o'clock, till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Monday, 3rd April, 1876.

MINUTES.]—WAYS AND MEANS—*considered in Committee.*

PUBLIC BILLS—*Committee*—Merchant Shipping [49]—R.P.

Second Reading — Ecclesiastical Assessments (Scotland) [106].

Committee—Report—Local Government Provisional Orders * [102].

Considered as amended—Drugging of Animals * [85].

Third Reading—Mutiny *; Marine Mutiny *, and *passed.*

DEPUTY CLERKS OF THE PEACE (IRELAND).—QUESTION.

MR. CHARLES LEWIS asked the Chief Secretary for Ireland, Whether, having regard to the fact that many of the existing Deputy Clerks of the Peace gave up practice as solicitors on their appointment, and have for many years ceased to practice, and in consequence are rendered ineligible by the 68th Clause of the Civil Bill Courts (Ireland) Bill to be appointed Clerk of the Peace in event of a vacancy, the Government will make provision in the Bill for the continuance in office of the existing deputies during their lives, notwithstanding any new appointment to the office of Clerk of the Peace, or will provide for the appointment of existing Deputy Clerks as joint principals, as promised by the late Government in 1871; and, whether the Government will introduce a scale of superannuation allowance for Deputy Clerks of the Peace?

SIR MICHAEL HICKS-BEACH, in reply, said, the Solicitor General for Ireland had already introduced a Bill defining the duties and position of these officers, and if the hon. Gentleman would refer to that Bill, which would be circulated to-morrow morning, he would find the information he desired.

INLAND REVENUE—FRIENDLY AND BUILDING SOCIETIES — FEES ON CERTIFICATES.—QUESTION.

MR. RYLANDS asked Mr. Chancellor of the Exchequer, Whether in the arrangement which he proposes making, in conjunction with the President of the Local Government Board and the Registrar General, for the establishment of a low and uniform charge for the certificates of deaths of members of Friendly Societies, he will include in the same arrangement the charge for certificates of deaths of members of Building Societies under Clause 29 of the Building Society Act of 1874?

The CHANCELLOR of the EXCHEQUER, in reply, said, that he thought the hon. Gentleman was labouring under a misapprehension. The arrangement with regard to the fees paid on certificates of the death of members of friendly societies was fixed by the Act of last Session. The only arrangement he was now endeavouring to make was with regard to the construction which was to be put upon the words of that statute. It would not be possible for him or any one else, without a new Act of Parliament, to deal with the case of the members of building societies, as suggested.

THE ROYAL TITLES BILL.

QUESTION.

Sir WILLIAM HARCOURT asked the First Lord of the Treasury, Whether, in the event of Her Majesty being advised by Her Ministers to assume the title of Empress of India, it is intended that such title shall be employed in all public instruments and documents of State in which the full statutory style and title of the Queen is now set forth, and particularly in the case of Writs of Summons to Peers of Parliament, Writs for the Election of Members of the House of Commons; Patents for the creation of dignities of the United Kingdom, Patents for the appointments to offices in the United Kingdom, such as those of Lord Chancellor, Lord Lieutenant of Ireland, Chancellor of the Exchequer, the Law Officers, and the Judges of the United Kingdom; instruments relating to the appointment of Bishops in England; Commissions for giving the Royal Assent to Acts of Parliament; instruments relating to the summoning, prorogation, or dissolution of Parliament; documents authorizing the meeting of Convocation; Commissions to Justices of the Peace in the United Kingdom; Royal Commissions for inquiry and report into matters not relating to India; Patents for inventions in the United Kingdom; Commissions to Officers in the Army; Charters of Incorporation or for other purposes in the United Kingdom; and other like instruments issuing under the authority of the Crown; and, if so, in what manner he proposes generally to limit the public use of the title of Empress to India and Indian affairs, and to restrain its application in respect of acts of State relating to the government of the United Kingdom?

Mr. DISRAELI: Sir, in the event alluded to by the hon. and learned Gentleman, the Imperial title will be assumed, as I have before mentioned, in the transaction of all affairs connected with the Indian Empire, and in all communications abroad. It will be assumed solely externally, and not with respect to the internal affairs of the country; and, with regard to the details referred to, they will be provided for in the Proclamation.

THE FACTORY ACTS—BLEACHWORKS AND DYEWORKS.—QUESTION.

Mr. MACDONALD asked the Secretary of State for the Home Department, If it be his intention to bring in a Bill this Session to extend the provisions of the Factory Acts to the Bleachworks and Dyeworks of the United Kingdom; and, if so, when?

Mr. ASSHETON CROSS, in reply, said, that, from the information he had received, he gathered that the general feeling with regard to the extension of these Acts to bleachworks and dyeworks was that the matter, when dealt with, should be dealt with as a whole, and not piecemeal. That being so, his present intention was not to advise the Government to introduce a partial measure on the subject.

ARMY—THE ROYAL ARTILLERY—LIEUTENANT COLONELS.—QUESTION.

Captain NOLAN asked the Secretary of State for War, If the brigades of Artillery at Malta and Gibraltar are commanded by the senior Lieutenant Colonels of Artillery at these stations; if the strength of each of these brigades is at least equal to that of an infantry regiment; and, further, if these Lieutenant Colonels are allowed command pay as at present drawn by the Lieutenant Colonels commanding infantry regiments?

Mr. GATHORNE HARDY: Sir, my reply to the first part of the Question must be in the affirmative. As to the second, the strength of each of these brigades is somewhat in excess of an Infantry regiment. With regard to the third, previous to the 1st of April, 1875, the brigades at Malta and Gibraltar were commanded by the colonels on the Staff, and the lieutenant colonels, up to that date, had charge merely of subdistricts. Under the new organization, these lieutenant colonels Royal Artillery do not at present receive command pay as drawn by lieutenant colonels commanding Infantry regiments, but the subject has not been overlooked, and is now under consideration.

LICENSING ACT, 1872—BURIAL CLUBS.

QUESTION.

Mr. H. B. SHERIDAN asked the Secretary of State for the Home Department, Whether the present state of the Licensing Law does prevent members of Burial Clubs, who meet on Sundays at their clubhouse for burial purposes, from having refreshment, if such clubhouse is a public house, and the time of such refreshment is during the hours of restriction?

Mr. ASSHETON CROSS, in reply, said, the point of the question was, whether the members of a burial club were entitled to use a public-house, which they were in the habit of frequenting, for the meetings of their clubs, as though it were their own private house. He believed that, in the present state of the law, if they went to a public-house, they would then be in precisely the same position as other persons, and the mere fact of their being in the habit of frequenting the public-house did not take them out of the purview of the Act.

THE CIVIL SERVICE (IRELAND).

QUESTION.

Mr. STACPOOLE asked the Secretary to the Treasury, in relation to the recent inquiry into the duties and salaries of the different departments of the Civil Service in Ireland, Whether, in cases where reductions have been made in the establishments, and consequent saving of expense, it is the intention of the Government to confer any benefit on the officers retained, by proposing any increase of their salaries?

Mr. W. H. SMITH: Sir, in the cases in which reductions have been made in the different Departments of the Civil Service in Ireland, and additional duties have been imposed upon the officers who have been retained, their position and prospects have been generally improved, the salaries now assigned to them having been fixed after careful consideration of the claims of the officers and of the duties falling upon them.

PARLIAMENT — PUBLIC BUSINESS — THE EASTER RECESS—QUESTIONS.

Mr. HUBBARD said, it would be for the convenience of hon. Members to know when it was proposed to adjourn for the Easter Recess?

Mr. DISRAELI: Sir, the time and period of adjournment will depend, to some extent, upon the progress of Public Business; but, at present, I hope that, after the sitting on Monday, the 10th of April, the House may adjourn till the Monday week.

In reply to Mr. Anderson,

Mr. HUNT said, that the Navy Estimates would be taken on Monday next, and that the Papers relating to the *Mistletoe* would be in the hands of Members on Wednesday morning.

In reply to Mr. Pease,

Mr. W. H. SMITH said, that the Merchant Shipping Bill would be proceeded with on Thursday.

WAYS AND MEANS—FINANCIAL STATEMENT.—COMMITTEE.

Ways and Means *considered* in Committee.

(In the Committee.)

The CHANCELLOR of the EXCHEQUER: Mr. Raikes, before I begin to lay before the Committee the Statement which I have to present, I would beg permission to say a very few words with regard to the manner in which I introduced the Budget of last year. It will be in the recollection of the Committee that I stated last year the amount of the estimated Expenditure, and the amount of the estimated Revenue; and taking the amount of the estimated Revenue according to the careful calculations that had been made by the Heads of the different Revenue Departments, I brought the two estimates of Revenue and Expenditure to within about £400,000 one of the other—that is to say, I reckoned I should have a surplus of a little more than £400,000. I proposed, in my speech, to take off some £60,000 for remissions of taxation, reducing the surplus to about £340,000 or £350,000, and I proposed, also, to make a provision for the Debt, which involved a further deduction, bringing down the surplus to about £100,000. At the same time, I stated to the Committee that I had not included in the Estimates which I proposed to them any Supplementary Estimates, and that I had not even made provision for one large Supplementary Estimate that I knew would be required—namely, on the Irish Education Vote. But I said, at the same time, that, although by the course I was pursuing I was leaving myself for the moment a somewhat narrow margin, or even with the prospect of a deficiency, I was confident that the Estimates which I submitted were so moderately framed, and I also felt confident that the prospects of the year justified me in anticipating so much larger a revenue than was estimated, that I was very willing to place the matter before the Committee on those terms. I was willing to make no special provision for Supplementary Estimates, but to trust to the growth of the Revenue in order to meet them, not anticipating how I should apportion that growth as between Customs and Excise, because I felt that there was great uncertainty as to the heads under which growth might accrue, but trusting confidently that in course of the year the growth would be found sufficient, or more than sufficient, to cover the charges I should have to meet. Well, the Committee accepted that view; but it was subsequently criticized and commented upon, not only by right hon. Gentlemen opposite, but by various other hon. Gentlemen, who considered that I was taking a novel and rather adventurous course. Hon. Gentlemen will see what the result of the year has been. They will see that, in point of fact, the anticipations I then made have been justified by the result. They will see that the Estimates submitted to the Committee have been very largely exceeded by the actual produce of the Revenue, and they will also observe that while I was justified, as the result showed, in anticipating a large increase of Revenue, I was also justified in the caution I displayed in not attempting to apportion it under the two great items of Customs and Excise, for, whereas, the revenue from Customs has largely exceeded my estimate, the revenue from Excise has fallen short of it; and I felt at the time, and expressed at the time my belief, that it was not safe for a Chancellor of the Exchequer to endeavour to say whether he would rely upon increase from one particular branch of the Revenue or another. Therefore, if I were disposed to justify my conduct last year by the result, I apprehend that I should have a complete justification. But I must frankly say this—that I should be exceedingly sorry to allow myself in such a case as this to appeal only to the result as a justification for the course I then pursued. For it is perfectly obvious that a Chancellor of the Exchequer might in any case do the same thing; he might ask the Committee to reckon on a surplus the grounds of which he was not prepared to explain, and if, in the course of events, that surplus was realized, he might come forward and say—"I was right." I consider that that in itself would be a most unjustifiable course for any Finance Minister to take, and it is one which I should never be prepared either to adopt or to justify. I conceive that the only grounds on which my action last year was justified were that I had before me sufficient information to enable me to form a very sound and certain forecast that there would be an increase of Revenue; and coming forward on my own responsibility, supported as I was by the authority of my financial advisers, I was just as much justified in saying to the Committee—"This is likely to be the Revenue of the whole year," as "This will be the Revenue of the Customs and that of the Excise." And, therefore, I am prepared to say that in any other year I should be ready to follow the same course as last year, provided the circumstances were similar, and justified it.

Having said so much in introduction, I would now call attention to my estimate of the Revenue for 1875-6. My estimate of the Revenue was £75,625,000, but it proved to be £77,131,693, showing an excess of Revenue over Estimate of £1,506,693. The Expenditure which I estimated in my Budget, after making allowance for the increased charge for the Debt, at £75,522,000, was afterwards increased in the course of the Session by Supplementary Estimates which made a total—the amount voted in the Appropriation Act—of £77,002,896. The Expenditure proved to be £76,421,773, being less than the sum voted in the Appropriation Act by £581,123, but greater than my Budget Estimate by £899,773, or nearly £900,000, and the result is, taking the Revenue at £77,131,693 and the Expenditure at £76,421,773, you get a surplus of £709,920, or nearly £710,000, and that is the net result of the year.

I will now go more into details. The estimated revenue from Customs and Excise was £19,500,000; but the actual result is £20,020,000, and the excess of Customs over the estimate therefore is £520,000. But, in point of fact, I must inform the Committee that the excess of the Customs revenue was considerably larger than that, for there are payments which have to be made between the two great Departments of Inland Revenue and Customs, and in the last financial year a change was introduced as to the time when those payments were made, in consequence of which the Customs paid £140,000 over to the Excise which otherwise the Excise would not have received. The Committee must therefore remember, when we compare the receipts of the year, that the Customs are £140,000 worse and the Excise £140,000 better than they would otherwise have been, and that consequently there was really an increase on the Customs of £660,000. The estimate of Excise revenue was £27,740,000; the actual result was £27,626,000, being a deficiency of £114,000. And when you add to that deficiency the £140,000 which I have mentioned, the total deficiency of the Excise below the estimate was £254,000. Taking these two Departments together, as you ought to do, I find that the excess of the Customs and Excise together over my estimates was £406,000. The principal item of increase in the Excise, I am sorry to say, is the Spirit revenue, which shows an increase of £610,000 over last year. There is an increase in the Tea duty of £133,000; on Tobacco of £320,000; the increase on Malt and Sugar for brewing is £70,000, whilst on Wines there is a decrease of £40,000. I may here mention that in some respects the last quarter of the year has been unsatisfactory in comparison with the previous quarter. In the quarter ended the 31st of March the revenue from Excise, compared with last year, fell off £170,000. The payments into the Exchequer show a greater falling-off, because of the Inland Revenue paying last year into the Exchequer more than they received. Malt in the quarter fell off £164,000; Railways, £58,000; Sugar used in brewing, £5,000—in all £227,000. Excise Spirits, however, increased £55,000, so that the net falling-off is £172,000. The corresponding quarter of last year showed an increase of over £300,000. In Stamps the increase on the year was £412,000. That on the quarter was £82,000—that is to say, the rate on the year was maintained. In Customs the increase on the year was £850,000; that of the last quarter was £208,000. Although the quarter compares favourably with the March quarter of last year, it ought to have compared more favourably, because it is to be remembered that the March quarter last year had a Good Friday, a Bank Holiday, and no 29th of February; therefore, the March quarter of this year, which escaped the *dies non* and had the 29th of February, ought to show a rebounding revenue; in fact, however, the rate of increase had ceased or retrograded. There are, therefore, indications that are not altogether satisfactory in the condition of the revenue of the last quarter. Turning to the other heads of revenue, Stamps, according to my estimate, were taken at £10,600,000; they actually produced £11,002,000, or £402,000 more than the estimate, and about £460,000 more than last year. The Land Tax and House Duty I estimated at £2,450,000; they produced £2,496,000, being £46,000 more than the estimate. The Property and Income Tax I estimated to produce £3,900,000; they produced £4,109,000, being £209,000 more than the estimate, and only £197,000 less than last year, in spite of the reduction of the Income Tax. The Post Office was estimated at £5,750,000; it produced £5,950,000, being £200,000 more than the estimate. The Telegraph Service was estimated at £1,200,000; it produced £1,245,000, being £45,000 more than the estimate. Crown Lands were estimated at £385,000; they produced £395,000, being £10,000 more than the estimate. And Miscellaneous, estimated at £4,100,000, produced £4,288,693, being £188,693 more than the estimate. The whole Revenue for the year 1875-6, as I have said, I estimated at £75,625,000; the actual Revenue was £77,131,693, or £1,620,693 more than the estimate, or, deducting the decrease on the Excise estimate of £114,000, £1,506,693, being £2,209,000 more than the produce of last year.

Now, Sir, I stated a few minutes ago that at the time I brought in the Budget of last year I had foreseen that there would be Supplementary Estimates. There always are Supplementary Estimates, and under our present system there always must be Supplementary Estimates, because we have adopted the very proper and business-like proceeding of voting our Estimates as early as we can, and of carrying nothing over from the preceding year. Therefore, as in the course of the year circumstances in one Department or another require it, Supplementary Estimates are necessary. The only way in which that could be avoided would be by taking in the beginning of the year larger Estimates which would cover the Supplementary Estimates anticipated, and to do that, the Committee will see, would not be a very business-like, and would perhaps be rather an extravagant, arrangement. But while, on the one hand, there always are and will be Supplementary Estimates, there always are, and must be savings, and in regard to them I have heard it remarked in public that the savings promised last year have gone the way of all savings. That, of course, is in one sense true, for they have gone into the Exchequer. But if it is meant that there were no savings last year it is untrue, because the savings last year amounted to no less than £580,000. But there were Supplementary Estimates, and they were very considerably in excess of anything I had contemplated at the time I brought in the Budget last year. For instance, the Irish Education Estimate, which I had expected would amount to £120,000, was raised to £185,000 by the grant to teachers. Then there was the grant for defraying the expenses of the visit of the Prince of Wales to India—£60,000 for presents, and £48,000 for the expedition. Then there was a very large sum—no less than £60,000—to make up the Police grant. Besides this, there was—what I had no reason to anticipate—the Navy excess of £238,000, which my right hon. Friend the First Lord of the Admiralty explained in his Statement the other evening, and £500,000 recently voted for settling the account long out-standing between the War Office and the India Office. The consequence has been that the Supplementary Estimates amount to something like £1,500,000, and, taking off the savings, an excess of Expenditure amounting to £927,000 is left.

I shall now run through the total Expenditure of last year under the different heads. The Debt was estimated at £27,470,000; the actual amount charged was £27,444,000. The Consolidated Fund Charges were estimated at £1,590,000, and they only amounted to £1,557,000. The reason why the charges on the Consolidated Fund vary is this—they vary according to the demands from the Bankruptcy Court. We are bound to keep a certain balance. The Army was estimated to take £14,678,000; it took £14,577,000, being a saving of nearly £100,000. The Purchase Vote took £501,638, being a saving on the estimate of £134,000. The Navy, which was taken at £10,825,194, took £11,063,000, including the Supplementary Estimate. The Civil Services, which were estimated at £12,656,000, took £13,119,000. The Customs and Inland Revenue took exactly what they were estimated at—£2,694,393. The Post Office, which was taken at £3,036,000, only came to £2,982,000; and the Telegraph Service, which was estimated at £1,098,000, came to £1,022,000, so that I am able to congratulate my noble Friend the Postmaster General on having kept his expenditure within the estimate, and having brought in a revenue considerably above the estimate. The Telegraph Service, I hope, has now turned the corner, and I am quite sure the Committee will be glad to gain that information. The Packet Service was taken at £878,000; it cost £884,054. There are two other items:—There is the £500,000 for adjusting the account between the War Office and the India Office; and there is also a sum of about £76,000 in respect of the cost of the

Suez Canal Shares, which are also brought into the Expenditure of last year. The sum of £4,000,000 was raised by loan, but the balance of £76,000 has been paid out of the ordinary Revenue of the year.

Well, now, having gone through the heads of the items of Expenditure, I wish to say a word or two upon them, and especially in regard to the first. The Budget Estimate of Debt was £27,470,000. The actual amount was only £27,444,000. In point of fact, the amount required for interest is something less than was calculated, but the Committee will like to know what the effect of the new Sinking Fund has been. It will be remembered that I estimated the surplus at £255,000; in point of fact, it was raised to £280,000. That has been the amount available and applicable, and of this amount there has been handed over to the National Debt Commissioners £250,000 to buy up and cancel Stock created for the Telegraphs; and the rest, above £30,000, will be applicable for cancelling Stock in due course. We were taunted last year with having devised what would be altogether a futile fund. It was said—"The true way to provide for reduction of Debt is by the surplus of the year, and it is much better to allow your surplus to be applied in the old way." But what I have to point out is that under the old system nothing would have gone to the reduction of the Debt, because, although there is the surplus of £700,000 Revenue over ordinary Expenditure, yet, inasmuch as £4,000,000 has been paid for the purchase of the Suez Canal Shares out of the Consolidated Fund, there is, in fact, no surplus at all applicable under the old system to the redemption of Debt. The £4,000,000 is, indeed, provided for by loan, and the annuity of £200,000 to be paid by the Khedive is set against that for interest; but, to keep our proceedings regular, it is necessary that we should assume that burden on ourselves—it is necessary that we should make the payment fall in the regular course on the Consolidated Fund. The question will be asked, what becomes of the £700,000? It goes to strengthen the balances in the Exchequer. We do intend to make a certain provision out of it towards the reduction of the Debt, in this form; we have applied £200,000 out of the balances of the Exchequer to the payment for local barracks. My right hon. Friend opposite (Mr. Childers) is aware that the charge for local barracks may be, and usually is, met by the creation of fresh Debt. It is legal to provide for it out of the balances in the Exchequer, and, as there is a sum of £200,000, it is better to use it than add to the Debt.

I now wish to call attention to the mode in which the charge for the Debt will be stated in the present Budget and in future Budgets. Formerly, it has been the habit to charge the item of interest and that for the management of the Debt in a single sum; we now propose to charge these items under three heads. They will stand in this way in the Estimates for 1876-7. For our Debt proper there will be the interest of £27,700,000, £300,000 more than last year, in accordance with the Act we have passed; secondly, there will be for temporary Debt £150,000; and thirdly, for Debt incurred for local loans, £160,000. What is the temporary Debt? Temporary Debt is the £150,000 which we shall have to pay as interest upon the £4,000,000 which is to be created as a new Debt for a limited number of years on account of the purchase of the Suez Canal Shares. We have to provide that under a charge for Debt. A sum of corresponding amount will be received in the Miscellaneous Revenue from the Khedive of Egypt; but we think it best to keep the matter separate and manifestly before the eyes of Parliament. We desire to keep this clearly outside the charge for the present Debt; and although we reckon with great confidence upon the continuous and punctual payment of the revenue which the Khedive of Egypt has bound himself to pay us, we include that as one of the receipts of Miscellaneous Revenue, and we make our calculations to provide for the payment of interest and sinking fund on the £4,000,000. The amount that will have to be paid this present year will be £150,000, and the amount the Khedive will have to pay in the course of the year will be £200,000, of which, however, we shall not receive above £160,000, the balance going to the Messrs. Rothschild. We therefore have an amount which balances that temporary Debt, but, as I said, we think it very important to keep this temporary Debt outside the provision for the permanent Debt; and I am anxious to impress upon the Committee what has been the character and the change in the progress of our Debt arrangements of late years.

With regard to the permanent Debt of the country, we have for a great number of years borne the charge for interest, and from time to time have made arrangements, either by way of the operation of the old Sinking Fund or by the way of Terminable Annuities, for the reduction of that Debt. Beyond these provisions for the payment of the Debt charge, it has until lately been the general practice of Parliament to pay all the expenses of the year out of the Supplies of the year; but of late years a system has made its way into notice, and has been adopted in several cases, of not providing for certain services out of the Supplies of a single year, but of spreading the charge for them over a number of years, and of making provision for some great work by borrowing money and repaying it by the creation of Terminable Annuities. The most notable case in which this was done was in making provision for the expense of the Fortifications. I remember at the time it was proposed that I, being younger and also in a less responsible position than I am in now, protested against the principle being introduced; I protested against the principle of borrowing a large sum for this purpose and concealing the payment, as it were, from Parliament by making it a charge on the Debt. In that protest I pushed my arguments perhaps a little too far, and further than they would bear; but I believe substantially I was right in the view I took; and that it would be a mischievous practice, if we were to allow ourselves to fall into it, of providing for any expense which it was inconvenient to meet out of the Supplies of the year by raising a temporary loan, and practically concealing the amount of the charge from the eyes of Parliament and of the public by mixing it up with the ordinary charge for the permanent Debt. I think it is important in all these matters, and especially when they become large, to have a clear and distinct system of finance, and that we should lay before Parliament our accounts and balance sheets, our estimates and results, in a form which makes it perfectly competent for all who look at them to see how we are spending money and where it is going. I do not go so far as to say that the raising of money for important works, such as fortifications and local barracks, by raising the sum which is to be paid off within a limited number of years is an unsound principle; I think it is even a sound principle and a good principle; I think it would be absurd that, for a work spread over a number of years and which would be of great benefit to our successors as well as ourselves, we should in a single year make an enormous addition to our taxation, and then in the next year have to take it off, for the purpose of buying a large piece of valuable land or for the construction of some great work which required to be immediately provided. Therefore I do not object to the principle of raising a sum of money in that way. What I think you should do is this—For the services that ought to come, say, upon the Army Vote, or upon the Office of Works Vote, or any other Vote, it would be your best principle to borrow the money, to assess the charge, and, having done so, to spread that charge over a certain number of years by providing for it by Votes in the Estimates to which it properly belongs. For instance, in the case of the Fortifications, instead of providing for the annual charge as a charge upon Debt, you would provide the sum required by a Vote on the Army Estimates; and the cost of purchasing land for some great public works you would charge to the Works Department. But in any case what I desire is that you should not allow—now that we have introduced and established this principle of defining the sum which is to be applied to the payment of interest and reduction of Debt—I hope we shall not allow the principle to be infringed by what would be a most dangerous practice—the raising of sums for particular services, and allowing the charge of them to fall upon the charge for the Debt. And, therefore, with regard to the Vote for the purchase of the Suez Canal Shares, although, in one sense, we hope the receipts will balance the outlay, as we have estimated, we treat it as a debt, and we keep it outside the £27,700,000.

Then there is the third item, and that is the money which it is intended to provide for public local loans. And here I am anxious to call the serious attention of the Committee to the progress of this expenditure. Some years ago there was a system under which the demands which were made for assistance from the public funds were limited to the cases in which there were works to be undertaken in which it was desirable to raise money on good security, but under circumstances which made it difficult to borrow in the open market, and application was made to the Public Works Loan Commissioners for the amount required. They had a very limited sum at their disposal, and according to the regulations in force they could only lend that money at a comparatively high rate of interest —I think, 5 per cent. There were, by degrees, exceptions introduced ; and first of all came the harbours of refuge, and then one thing and then another; until by degrees, as Parliament was anxious to encourage localities to incur expenditure for purposes which seemed to be of national importance, clauses were included in Acts of Parliament, passed from time to time, which although of the very simplest appearance, yet had the effect of giving one party and another party, for this purpose and the other purpose, a right to come to the Public Works Loan Commissioners and say—"You must, in compliance with the wishes and directions of Parliament, advance us money at the easy rate of 3½ per cent." My right hon. Friend the Member for the City of London (Mr. Hubbard) and the hon. Member for Peterborough (Mr. Hankey), and other hon. Gentlemen who have served so long and with such great advantage to the public upon that body, began to find themselves placed in a position of great embarrassment. They found, on the one hand, that they had a too limited sum at their disposal, and they were, on the other hand, oppressed by these applications, which it was difficult for them to refuse without seeming to fly in the face of the intentions of Parliament. By degrees matters became considerably strained as between the different Departments concerned. Naturally, the Local Government Board was anxious in every way to promote sanitary improvement, and to urge the locality to undertake works that were of importance ; and naturally, the locality would say—"Having undertaken to do this work at the instance of the Government, let us raise money, and ask the Local Government Board to support us in our application for its advance on easy terms." The Loan Commissioners would feel themselves in a difficulty under such demands, and the Exchequer was placed in a difficulty ; because it is the duty of the Treasury to find the money so called for, and it often happened that large sums were called for which we were not at all prepared to lend. Of late years the pressure for social improvements—and social improvements which cost a great deal of money—has induced a very large extension of this principle of borrowing money ; and in order to meet the difficulties to which we found ourselves exposed, we last year introduced and passed a Bill which was intended to regulate the system of loans. The principles of that Bill I will take the liberty to briefly mention. In the first place, the Public Works Loan Acts are amended and consolidated ; in the second place, Parliament is to be informed each year of the progress of loan transactions; thirdly, Parliament will provide each year the sum required for loans, and old running loans which have hitherto escaped the attention of Parliament are now condemned, and will be put an end to. Fourthly, Parliament will be empowered yearly to borrow what is necessary to enable them to make loans, and no loan is to be remitted or compounded without the authority of Parliament. This was one of the great evils—that pressure was constantly put upon the Treasury to remit or compound a loan which Parliament had granted, but about which it would hear nothing more. In the next place, the estimates are to be sent in by the 31st of December from all bodies and corporations intending to apply for loans in the succeeding financial year. Next, the interest and the principal of the loans have been separated, and this is a very important point to which I must again direct the attention of the Committee. In former times the money that was lent out was repaid, and repaid with interest, but the interest was not separated from the principal that was repaid, and therefore that interest came into the hands of the Exchequer without Parliament knowing anything about it, or having its attention called to it. There was thus provided a fund, which was constantly accumulating in the Exchequer ; it was properly Revenue, but it remained to be made use of by any one who wished to deal with it as the Chancellor of the Exchequer might deal with the Exchequer balances. In consequence of that, it would sometimes happen that the Exchequer was so full of money earned in this way, that the Chancellor of the Exchequer would justify himself to the House—I have known it done by high authority—in estimating for a deficiency; "because," he would say, "my balances are so good, that I can very well afford to spare a large sum out of them." Well, that is a system which is now put an end to, because the interest is now separated from the principal. The interest is now put, as it ought to be, to the Revenue, and it amounts to a sum of £500,000 or £600,000 at the present time, and as it goes on, it will become an increasingly important source of Revenue. Besides that, we have now the means of ascertaining what the loan assets of the country are. We have obtained fairly exhaustive Returns of the loan transactions from the commencement of the system in 1792 to the present time, and we are now preparing the amount of irrecoverable balances after a minute inquiry into the circumstances of each case. Lastly, the Controller and Auditor General now has these matters submitted to him, and looks into these accounts. In addition to these improvements, which I shall have to speak of more fully on another occasion, when I bring forward, as I hope to do after Easter, a Bill authorizing the raising all the loans for the purposes of next year, I shall then be able to show more fully what the probable working of the system is. Without going more into detail, therefore, at the present time, I shall just say this—that the effect of what has been done has called forth a most luxuriant crop of claimants for assistance of this kind. I am told that the applications to the Public Works Loan Commissioners do not fall far short of £10,000,000, and that there are, besides, other applications which will be made to the Public Works by the persons who have charge of this matter in Ireland, so that in all probability these demands will not fall short of £11,000,000. That only indicates the way in which persons not knowing exactly what they may want will be sure to ask for enough. I do not anticipate that anything like that amount will be required, and I do not make provision for anything of the sort in the Budget, nor indeed would it be possible to ask Parliament to authorize any loan for so very large an amount as that. I have no doubt, however, it will be something like £3,000,000 which will have to be provided. I do not pledge myself to the amount, because it will have to be discussed on the introduction of the Bill, but I mention it now in order to account for the item which I spoke of—of £160,000 as the charge for the interest on local loans. The principle of the matter is one which is really outside the finances of the year, yet it is one which always ought to be brought before Parliament, and which Parliament ought to be aware of when it is dealing with its finance as it does in the Budget. The principle upon which we ought to go in these matters is to charge everything we can, explaining, of course, how much of it is really a charge for the year upon the transactions of the year, and how much stands apart and is otherwise regarded. Therefore, I shall make this provision distinctly and separately for the interest of the money required for local loans.

As I am now speaking of these matters I must refer to another topic, which is the state of the balances in the Exchequer. The balances in the Exchequer are at this moment, I think, literally £5,119,000; but I must take them at a higher figure, because by Friday next we shall receive £700,000, which properly belongs to the Exchequer in respect of advances which have been made by the National Debt Commissioners to meet the payment for the Suez Canal Shares. It was the National Debt Commissioners who advanced the £4,000,000, which advances were to be made at such times as might be most convenient for them. They were receiving the money in part out of the Irish Church Fund, which was coming to them at different dates, and the payment for advances made to the Exchequer were to be regulated according to the dates most convenient to them. It was found that the last payments were most conveniently made on the 7th April, and in the Act passed providing for the sum, provision was made for allowing the payment to take place on the 7th April, and therefore I treated the Exchequer balance as £5,819,000. That is a small amount. When I first came to the office I now hold, two years ago, the balances in the Exchequer were £7,442,000. Since then the transactions have been as follows:—We have, on the one hand, received a surplus revenue in two years of £1,303,000; we have received on different advances repaid, £163,000; we have borrowed £850,000 for fortifications and local barracks, and £3,200,000 for the purpose of making advances to public borrowers under the Public Works Loan Commissioners. We have also borrowed for the purchase of the Suez Canal Shares £4,000,000, making £9,516,000 received in the course of two years. Then, on the other side, what has been the expenditure? We have bought the Suez Canal Shares—£4,000,000; we have advanced in excess of the repayments £4,725,000; we have expended on fortifications and local barracks £1,050,000; we have redeemed Debt by the old Sinking Fund to the amount of £1,087,000, and paid off Exchequer bills £278,000, making altogether £11,140,000. The Exchequer balances have therefore been reduced by £1,623,000 — being now £5,819,000, and, as I have said, that is not a large balance to have in the Exchequer. Its smallness is due to the excess of advances we have been obliged to make for the purpose of the Public Works Loans, but some of that drain on the Exchequer is now closed by the new system we have adopted. Upon the whole, I am not dissatisfied with the amount of the balance, provided it does not go lower. There are, in fact, as the Committee is aware, advantages as well as disadvantages in a small balance. As far as we are concerned, it is not our object to keep a large sum of money in the Bank which yields none or at most a low rate of interest. On the other hand, it is undesirable that we should run the balances so low that in the event of a sudden call being made we should have to borrow, perhaps at a time when it was inconvenient. There are two opposite theories held on this subject. There are those who say you should keep your balance as low as possible and borrow freely whenever you require to do so; and there are others who say you must keep your balance at such a point that in ordinary years you will not have to borrow at all. It has been estimated in ordinary years that if you could keep a balance of £8,000,000 in the Exchequer at the present time of the year, say, the 31st of March, it would be unnecessary to borrow at all in the course of the year; but if you were to attempt to raise the balances to £8,000,000 you would find you would have to pay a considerable amount on account of the public, for you would be charged interest on what you borrowed. I have here a Paper drawn up by one of my ablest assistants at the Treasury, Mr. Welby, whose name ought always to be mentioned with honour in this House, and I will quote from it a few figures. Mr. Welby says—

> "The old Public Works Loans Act did not enable the Chancellor of the Exchequer to borrow the sums which he had lent to local bodies. The result was, of course, that his balance was diminished. Suppose that he had obtained a special borrowing power to restore the balance to £8,000,000, he must have borrowed £560,000 in 1874-5, £1,180,000 in 1875-6, and he would have to borrow about £440,000 in 1876-7. These loans would probably have been in Exchequer Bonds at 3½ per cent interest, and the charge would have been £19,600 in 1874-5, £60,900 in 1875-6, and £76,300 in 1876-7—total, £156,800. In fact, the Government paid to the Bank as interest on deficiency-advances in 1874-5, £6,927; in 1875-6, £8,946; and in 1876-7 we expect to pay £10,500, or something in excess of £26,000; making a difference in favour of the public of about £130,000."

Consequently it must be obvious to the Committee that it would be an extravagant arrangement to raise our balances to too large an amount. But, obviously, that is a principle which ought not to be pushed too far, and it is clear that we have brought the balances of the Exchequer to a point below which it would be wrong to sink them.

Speaking of these loans, it is a point worthy the consideration of the Committee that we have £20,000,000 of public money lent on these works, exclusive of the £4,000,000 advanced for the purchase of the Suez Canal Shares. These advances to public bodies in England have been made upon admirable security and after the most careful examination by the Public Works Loan Commissioners, and there are, as I have said, about £20,000,000 of these assets. That is an important item, and it is an amount that is increasing. I draw attention to these things not only to show the exact position of our Exchequer and of our balance-sheet, but because I wish to impress upon the Committee that all this new system which has been growing up, makes it all the more necessary for us to be careful to maintain the system for keeping down and reducing our own National Debt. We cannot shut our eyes to the introduction of the system to which the House referred—that—namely, of raising money on easier terms to meet great works. We cannot shut our eyes to the fact that we have become responsible, to a certain extent, for this great mass of loan which is now standing to the credit of the Treasury, but which nevertheless represents a sum of money which, if there were any difficulties or failures, the nation would be responsible for. Therefore, it is peculiarly necessary that, in days like these, we should avoid anything which might even seem to tamper with the credit of the nation, and it is most important, if we wish to keep the nation in the position which she occupies in the face of the world, and for the sake of which we are ready to spend large amounts on our Military and Naval Services, and to incur considerable expenditure for the promotion of the health and comfort of the people—I say it is absolutely necessary, if we are not to sacrifice that great and Imperial position to which we should look, to maintain our national credit on a sound and solid basis. To that end I believe the step taken deliberately last year in forming and expanding a system for the gradual and moderate reduction of our National Debt is a greater source of strength to us than even the addition of regiments.

Well, Sir, I will now proceed to give the Committee the details of the Expenditure and anticipated Revenue for next year. I have already mentioned that the charge for Debt for next year will come to £28,010,000; the Consolidated Fund charges are £1,590,000; the Army Expenditure, £15,282,000; Army Purchase, £464,000, which is less than was taken last year or the year before. It has been estimated after a most painstaking investigation, but it is impossible to say with absolute confidence what the actual sum will be that will be taken out of the Vote, as it depends upon the claims of those officers who may be desirous of retiring. I propose, too, to take a sum of £170,000 for charges that may have to be met during the year through the War Office on behalf of the Indian Government. Those charges, as the Committee are aware, are, in fact, matters of account between the Indian Office and officers of the Indian Army, but the settlement goes through the hands of the Imperial Government. The item might be kept entirely out of our accounts, and the charges be met out of a reserve fund; but I think it is a more businesslike transaction to deal with it in the way we propose to deal with it, by placing on the one side of the account the amount we are liable for, and on the other the corresponding amount we shall receive. Well, the Navy will cost £11,289,000, the Civil Service £13,309,000, the Customs £2,730,000, and the Post Office Service £3,120,000. There is also a Bill passing through Parliament for the erection of a new Post Office at Manchester, which is urgently required, and which will involve an expenditure of about £100,000. The Packet Service I estimate at £852,000, and the Telegraph Service at £1,128,000, making a total expenditure for the year 1876-7 of £78,044,0000. That is the Estimate we make as compared with the Estimate I submitted last year in my Budget Statement of, in round numbers, £75,388,000, showing an increase of no less than £2,656,000, and the increase this year upon the actual expenditure of last year is £1,622,000. Now, Sir, how does this increase arise? I will not trouble the Committee with minute details, but will give the figures roughly. The Army Estimates show an increase of £604,000, the Navy of £504,000, the Civil Service of £533,000, the Revenue Departments of £144,000, the Manchester Post Office £100,000, and the Permanent charge of Debt £300,000. Now, with regard to this additional charge, I will not enter into the questions involved in the great items of Army and Navy expenditure. They have been already explained to the House by my two right hon. Friends, and I will not attempt to open up the discussion which will arise upon them. I will only say that, as Chancellor of the Exchequer, I have looked very jealously upon those proposals. As a Member of the Government, however, I have had to consider them in a somewhat different light, and I have undoubtedly felt this—that if you are to have a military Force kept up it ought to be one worthy of the country. But inasmuch as, from the circumstances of the population, it cannot be a numerous Force, it ought to be well appointed and well equipped; and, inasmuch as it cannot be recruited by conscription, but by voluntary service, it must naturally be attended with a rate of remuneration which will induce men to join it. Therefore, without going into details which may be more properly left to others, I have joined with my Colleagues in assenting to the proposals which have been made, and which, as far as we have gone, have been accepted by this House. But if upon this occasion I may look at the matter more narrowly from the stand-point of Chancellor of the Exchequer, I must remark that those two Services have laid a very heavy burden upon the country. In my first Budget, two years ago, I took the Army and Naval expenditure at £24,815,000. In the present year I estimate it at £26,571,000, showing an increase on the two Services of £1,756,000. So much for those two great cardinal heads of increase. I have already alluded to the increase of the charge for Debt, and as there is not a very large increase in the Revenue Departments, I will say nothing about them. If our Departments are to earn more money, especially the Post Office and Telegraph Services, it is obvious that you will have to expend more to earn it. We are endeavouring to keep down the expenditure on those Services, and, I hope, with success. I trust that every year will show that, as compared with the expenditure they involve, the Service charges have become more and more moderate. But I will now go to the Civil Service, for the expenditure on which I am, perhaps, more especially responsible. We are constantly told that there is a good deal of extravagance or want of sufficient control in the expenditure on the Civil Service, but I will ask the Committee to allow me to take a broader view of the matter than merely to compare the present Estimates with the Expenditure of last year. In this year's Expenditure there are those Supplementary Estimates to which I referred. What I wish to do is to compare the estimated expenditure of the Civil Service of this year, not with last year's, but with that of the year before we came into office, because when we are told that we are a very extravagant Government—extravagance is a relative and comparative quality—I want to know what hon. Members mean when they say we are extravagant? Do they mean that we spend more than ought to be spent, or that we spend more than our Predecessors spent? Generally speaking, the criticisms that one sees are to the effect that we do not hold that tight hand upon the expenditure which our Predecessors did, and consequently we are blamed for being an extravagant and uneconomical Government. Well, although it may be admitted that the expenditure is a good deal higher now than it was two years ago, we cannot admit ourselves to be chargeable with extravagance or want of economy as compared with our Predecessors, because our Estimates are larger than theirs. There are many circumstances which render that necessary—the growth of population, and other circumstances, and the new policy which is initiated in one and another direction, thus leading to the continued demands for fresh services involving fresh expenditure. For instance, the Merchant Shipping Bill, which is now under the consideration of the House, is one which, if passed, must increase the charge upon the general funds of the country, by reason that a staff of officials will be necessary to carry out the provisions of the measure. I again admit that there has been an increase in the amount of the Civil Service Estimates in late years, but I should like to point out to the Committee the reasons which have caused the increase in question. In the year 1873-4 the expenditure under the Civil Service Estimates was set down at £11,067,000, while in the present year it has gone up to £13,308,000, or an increase of £2,241,000; but let me ask, what is the reason for that increase? ["Hear, hear!"] Well, I supposed that would be cheered. It is more than accounted for by two items—the increase in the grants in aid of Local Taxation, amounting to £1,400,000, and the Education Estimates, amounting to £910,000, or more than £2,310,000 in all. Therefore, as the total expenditure is only increased by £2,240,000, it shows that, setting those two points aside, these figures not only account for the increased Expenditure, but if hon. Members will compare them with the Estimates presented to the House by our Predecessors, they will find that with an increasing population we are actually spending less money by £60,000 than was expended by the previous Government. I was going to say we were attacked by what savours sometimes of a word which it is now forbidden to use in this House—I was going to say "Party" — but, without anticipating any such objection, I do not think it would be at all desirable that we should bandy about Party quarrels on such a subject as this. It is more important that we should show the country, if we are able to do so, how and where it is that this imaginary increase in the expenditure of the country is really to be found, and therefore I desire to extend the comparison which I have made between the Expenditure of the coming year and that of the last year of our Predecessors, and with the permission of the Committee to go back 20 years; and I would ask to be allowed to compare the general expenditure for Civil Services in 1857-8 as compared with the year 1876-7. The total expenditure on the Civil Service in 1857-8 was £8,167,000 as against £10,394,000 in 1873-4, and £13,095,780 in the past year. Of this amount the grant for Educational purposes has risen from £790,000 to £2,758,000, and the sum of money paid in aid of Local Taxation has risen from £1,430,000 to £4,150,000. Therefore, without disputing small matters of detail, the Committee may take this as an ascertained fact, that the great increase in the last 20 years in the Civil Service expenditure is to be attributed to these two things—the increase of the charge of Education, which I believe everybody welcomes, and to Local Taxation, which both our enemies and friends tell us is a mere bagatelle.

I have now to turn from the Expenditure of the year to the other interesting branch of my subject—namely, the estimated Revenue. The Estimates of Revenue have been prepared on the same principles as last year, and with the same care, caution, and due regard to the circumstances of the time—prepared, too, under a consciousness that the circumstances of the country are not exceedingly flourishing, and that trade prospects are not as bright as could be wished, and more especially with reference to all the circumstances which particularly affect the consumption of those articles from which a large part of our National Revenue is derived. The Estimates have been prepared also with reference to the peculiar minute considerations, and to the fact that we have a day less than last year, which was Leap Year, and in which there was no Good Friday or Bank Holiday. Having taken all these matters into consideration, these are the figures which I have to submit to the Committee. The Customs we take at £20,250,000 as against £20,020,000; the Excise, £27,650,000, as against £27,626,000 last year; Stamps, £11,000,000, which is about the same as last year; Land Tax and House Duty, £2,500,000, which is just about the same as last year; for Income Tax we take £4,100,000, which is a fraction less than what it produced last year; the Post Office we take at £5,950,000, which is the same as last year; for the Telegraphs we tako £1,325,000, which is in advance of last year, when it was £1,245,000; for the Crown Lands, we take £395,000, the same as last year; and for Miscellaneous we take £4,100,000, as against £4,288,693 last year. That makes the total estimated Revenue £77,270,000, against an estimated Expenditure of £78,044,000, showing a deficit of £774,000.

Before saying a word on the manner in which we are to meet the deficit, I wish to mention a matter which, though small in itself, is not without its interest, and which has caused a great deal of friction, although it involves only a trifling amount of Revenue. There have been complaints with regard to the tax levied on boys employed as servants for an hour or two in a day, and it has been pointed out that this bears very hardly upon many persons of limited means, and also upon the boys themselves. It is said that it operates to deter boys from going to school, and that we ought to exempt school-boys from the tax. I am not able to make a distinction between school-boys and other boys, nor am I able to make a distinction as to age, because there is no reason why, in great houses, a little boy should not be taxed, although he happens to be dressed in a suit with a great many buttons upon it; but I propose to alter the definition of male servants in this way—to make the term include such persons only as are *bonâ fide* domestics exclusively engaged for that purpose, and giving their whole time to their employers. This will relieve from taxation under this head such persons as only employ boys during a few hours in each day, and farmers whose labourers take part occasionally in discharging domestic duties. In fact, it will in many ways remove a source of annoyance at a trifling expense to the Revenue. I put the amount at £26,000 ; it may be £30,000, but I put it at £26,000 for the sake of symmetry, which brings up the deficit to £800,000.

Now, the question arises as to what we are to do with the deficit? One thing, I think, is quite clear. We cannot leave it to take care of itself. Last year I came to the House and presented something like an equilibrium between Revenue and Expenditure, and I made no provision for Supplementary Estimates, for I said there was a prospect of a spring in the Revenue covering any Supplementary Estimates that might be presented. I have been justified by the result, and I think if the circumstances now were the same as last year, I should be prepared again to adopt the same course. But there is a very great difference between coming forward with an equilibrium before we knew anything about the Supplementary Estimates and coming forward with a deficit of £800,000. We made the proposal last year at a time when there seemed to be a fair, if not a good, prospect of a harvest, and when there were signs of a revival in some branches of trade, and a hope for improvement which has not, I am sorry to say, been altogether realized; but there is a great difference between that state of things and the circumstances of the present year. Well, then, if we are not to leave this deficit alone, how are we to deal with it? There are only two ways of dealing with it. One is to propose an addition of taxation in order to cover it — the other is to tamper with the arrangement made last year with regard to the National Debt. Now, I never stated that that arrangement was to be a law of the Medes and Persians, and that under no possible circumstances should any interference be allowed with it. Indeed, I can conceive circumstances under which, when taxation was very high, when a great emergency was upon us, or when it was necessary to make some very great national effort, it might be wise and prudent to interfere with that arrangement. But if, in the very first year after you have adopted it; if, before it has even come into operation, for the purpose of meeting a trifling deficit of £800,000, which it is quite possible, though I do not venture to prophecy, may be recovered from unexpected improvement of the Revenue, and at all events which we may look upon as being only a temporary deficit—if under such circumstances we, and especially we who were the authors of the proposal, were to come forward and ask you to arrest the arrangement for the sake of avoiding an addition to taxation, we should not only be arresting and suspending the arrangement; but we should be manifestly destroying it altogether. One of the most plausible, if not the strongest argument adduced against my proposal last year was, that it was a proposal which was good for fair weather, but that the moment it was tried it would break down. I was told that something of the kind happened 20 years ago, and that when the arrangements of that time were made they had to be given up, and I was taunted with the prospect of having myself to come forward to propose to cancel the arrangements which Parliament, at our suggestion, had adopted. But the circumstances under which that former Sinking Fund was abandoned were as different as light from darkness from the circumstances of the present day; and, therefore, I do not think it at all necessary to enter into distinctions which will be obvious to those who know the history of that period. I trust and firmly believe that the idea of suspending or interfering with the arrangements in regard to the National Debt will not commend itself to any Member of the Committee and will not be expected from Her Majesty's Government. Well, Sir, since we are driven to meet this deficit, which we cannot prevent, and which we cannot provide for without recourse to additional taxation, we come to the second question, which is, Of what character is that taxation to be? Now, I can conceive of but two alternatives. It would be possible to make an addition to the Spirit Duties, or it would be possible to make an addition to the Income Tax. With reference, however, to the idea of making an addition to the Spirit Duties, I would remind the Committee that, in the first place, the consumption of spirits at present is not quite in the condition that renders it very certain that you would realize any very large amount from that source; and, moreover, any meddling with the taxes on intoxicating drinks would raise a series of questions and a complication of difficulties which I think the House would be sorry to have to encounter. Therefore, Sir, I am driven, as a last resort, to the decision of asking the Committee to make an addition to the Income Tax. I need not say that I do it with reluctance. I need not say I had hoped that our tenure of office might not be marked, at all events, with any addition to that particular tax. But, Sir, the logic of facts is too strong for me. I have been unable to resist, and I do not see how the Government could have resisted, the claims that have been made upon us for additional expenditure; and I do not see how we could have done more than we have done in order to keep down our expenditure with a due regard to the demands of the country. Therefore I do it without hesitation, though with reluctance, feeling sure that both the House and the country will respond to what is certainly a very disagreeable call in the spirit in which it is made by Her Majesty's Government.

If we were to add 1*d.* to the Income Tax it would increase our Revenue for the present year by £1,480,000, which would leave £320,000 to be brought to the charge for the next year. We do not require yet the full amount I have spoken of, and I think this is a time in which we might fairly carry further the exemption of small incomes. When Sir Robert Peel first introduced the tax the limit of exemption was fixed at £150; subsequently my right hon. Friend the Member for Greenwich carried the tax to £100; and I think one of the reasons he gave was, that he wished to carry the tax down to a point at which it would reach the wage-receiving classes. Wages have risen considerably since that time, and I think we should not be doing an unreasonable thing in reverting to the exemption originally proposed by Sir Robert Peel; and, at the same time that we make the difference in the total exemptions, we should be disposed to make a corresponding addition to the amount which is deducted from incomes above that amount. At present, I think, the limit of total exemption is fixed at £100. The deduction is fixed at £80, and goes up to £300. We propose to make the the reduction £120, instead of £80, and to carry it up to £400 a-year. That is to say, all incomes below £150 will be wholly exempt, while those from £150 to £400 will have £120 taken off. Well, the financial result of this will be that we shall receive during the present year £1,168,000, and deducting from that the £800,000, we shall be left with a surplus for the year of £368,000. In conclusion, I must now thank the Committee for the kindness with which they have listened to me. I am very sorry it has been my duty to lay before them a proposal which I fear cannot be otherwise than unpalatable; but at the same time, events have rendered it necessary, and we, therefore, submit it with confidence to the consideration of the Committee. The right hon. Gentleman concluded by moving the first Resolution.

Motion made, and Question proposed,

> "That there shall be charged, collected, and paid for one year, commencing on the sixth day of April, one thousand eight hundred and seventy-six, in respect of all Property, Profits, and Gains mentioned or described as chargeable in the Act of the sixteenth and seventeenth years of Her Majesty's reign, chapter thirty-four, the following Duties of Income Tax (that is to say):
>
> For every Twenty Shillings of the annual value or amount of all such Property, Profits, and Gains chargeable under Schedules (A) (C) (D) or (E) of the said Act, the Duty of Three Pence;
>
> And For every Twenty Shillings of the annual value of the occupation of Lands, Tenements, Hereditaments, and Heritages chargeable under Schedule (B) of the said Act:—
>
> In England, the Duty of One Penny Halfpenny; and
>
> In Scotland and Ireland respectively, the Duty of One Penny Farthing."

Mr. DODSON said, he trusted that the Resolution which had just been read would not be pressed upon the Committee that night, and that an opportunity might be afforded them to consider the lengthened and complicated Financial Statement which had just been made to them. The right hon. Gentleman, after making the alteration in reference to the tax upon male servants, estimated his deficiency at £800,000, and he proposed to meet that deficit and obtain a surplus by placing an additional 1*d*, upon the income tax, which, subject to the exemptions he proposed, would produce in the present year £1,168,000. The right hon. Gentleman had taken a very moderate estimate of the growth of the Revenue for the year, it being only £347,000. Last year, however, he estimated the growth at £946,000; but, although he stated in his Budget speech that £946,000 was a careful and accurate estimate of growth, as soon as he had to meet Supplementary expenditure, it appeared that he had in reserve another estimate of growth beyond that. Though he never gave any detailed estimate of this ulterior growth, it became evident, towards the close of the Session, that the whole growth he reckoned upon must be about £2,000,000.

THE CHANCELLOR OF THE EXCHEQUER: What I stated towards the end of the Session was, that I thought that probably the Revenue would be from £800,000 to £1,000,000 more than I had stated it in my Budget Estimate.

MR. DODSON said, that fortunately for the right hon. Gentleman, his esoteric estimate, which was much more sanguine than his exoteric one, was realized, for there was an increase in the Revenue of £2,400,000 over the Revenue of the preceding year, and notwithstanding the large Supplementary Estimates, amounting in all to £1,405,000, he reached the conclusion of the year with a surplus. The right hon. Gentleman had called their attention in a very marked way to the sluggishness of the Revenue in the latter portion of the last year, and to the larger growth of the Revenue in the earlier portion of the year. Is was true that the larger portion of the growth of the Revenue was due to the first six months of the past year, when the growth of the Excise and Customs was over £700,000, while in the last six months it was only £250,000. The truth was, that the right hon. Gentleman had made his fortune last year by Stamps and Miscellaneous Receipts. The increase of the latter was over £500,000, and the growth of the stamp duty was estimated at £60,000, while the actual growth was £460,000. Both these items partook of a casual character. Stamps embraced really a very mixed and miscellaneous subject of Revenue, because items proceeding from very different sources were all classed under the head of Stamps. There were some stamps, such as those upon bills of exchange and transfers, which tended to show that trade was upon the increase, and that there was activity and prosperity throughout the country; but there was also a large amount of stamp duty the income from which should be treated rather in the nature of a windfall; such, for instance, as the probate, succession, and legacy duties. He hoped that in the course of the discussion upon the Budget the right hon. Gentleman would analyze for them a little the total amount received from Stamps, and would state in what proportion the increase was due ta the increase of trade and business throughout the country, and what portion of it was due to the good fortune of the Chancellor of the Exchequer in consequence of death during the year making havoc among rich people. A very large portion of the amount credited to growth of the Revenue was from what was called Miscellaneous Revenue, but which would more properly be called miscellaneous receipts. There had been an increase under this head of upwards of £500,000 in the year, though £300,000 of this might properly be treated as belonging to the preceding year. In comparison with last year, the right hon. Gentleman had taken a very moderate estimate of the growth of the Revenue for the coming year when he placed it at only £347,000 upon all branches of the Revenue, except Miscellaneous Receipts, the produce of which he reckoned at less than last year. It would be indiscreet in them, perhaps, to ask questions upon that; but still he could not but think that, considering what passed last year, it would be interesting to know whether the right hon. Gentleman, as last year, reserved some esoteric estimate of a further growth of Revenue beyond that which he had just stated to the House, and, if so, what that estimate might be? As to the additional 1*d*. on the income tax, he wished to throw out a suggestion for consideration, without, however, expressing an opinion upon it, as to the future mode of collecting the tax. It was proposed to place another 1*d*. upon the tax, which, as at present levied, would produce upwards of £2,000,000. Now, there was a certain amount of inconvenience in a tax which they could only vary by an amount so large as £2,000,000 at a time in one direction or the other, and he would suggest whether the time was not come when it would be well to make provision that they might deal with it by a ½*d.* at the time, so that the amount of the tax could be increased or decreased by £1,000,000, which would certainly be a more convenient sum than £2,000,000. A strong appeal had been made to them by the right hon. Gentleman to support the new Sinking Fund instituted last year by the Chancellor of the Exchequer, the charge for which this year would be £570,000. The deficit was £770,000; but had it not been for that charge for the new Sinking Fund the right hon. Gentleman might, by taking a little more sanguine estimate of the growth of the Revenue, have been in the position to propose no increase of taxation whatever. He would, indeed, have been in the position to introduce the most sensational Budget of modern times, for he would have been able to say that the estimate of Revenue was so much, and the Expenditure so much, so that they just met each other; and, therefore, he could have proposed that they should stand where they were, making no alteration whatever in the taxation of the country. No such Financial Statement had been known for years past, and it would have been a most appropriate Budget to come from a Conservative Chancellor of the Exchequer. He (Mr. Dodson) did not at present wish to commit himself in reference to the proposals of the Chancellor of the Exchequer; but he hoped that the Government would consent to the Chairman reporting Progress, so that the matter might come on for consideration upon some other evening.

MR. J. G. HUBBARD said, he wished to take the earliest opportunity of stating the great pain with which he had heard the announcement of the right hon. Gentleman the Chancellor of the Exchequer. Up to the moment of stating the Estimates for the current year the course of the Budget was quite satisfactory; but those Estimates, as had just been said, were very moderate ones. He was not prepared for the announcement of the way in which the right hon. Gentleman proposed to meet his self-created difficulty in an artificial deficit. How much of the £78,000,000 which the Chancellor of the Exchequer had estimated as the necessary charge upon the taxpayers of the country for the year was to go to the reduction of the National Debt? Would it be much less than £5,000,000? The sum devoted to the reduction of Debt had been increasing year by year, and was increasing very fast before the right hon. Gentleman came into office; and he (Mr. Hubbard) was exceedingly anxious that the Debt should not be further reduced by the means which the right hon. Gentleman proposed. Last year he introduced a scheme which eclipsed the schemes of his Predecessors, and in the course of a few years would be found impracticable, and which had already landed us in a great difficulty. He (Mr. Hubbard) objected not to the reduction of the National Debt, but to the means by which it was proposed to be effected. We had an income tax which, as at present levied, was acknowledged to be one of the most bungling, demoralizing, and inequitable taxes that had ever been imposed. It was originally imposed for three years in order to do a specific work; and it had been continued for 30 years, and no Minister had yet had the courage to reform it. Yet, properly levied and collected, an income tax was the best tax that a country could have, and it was a reproach to justice and to the ability of the Members of that House that this tax should continue in the condition in which it was now. He had imagined that with a 2*d.* income tax we had reached a point at which the Government should reconsider the whole matter. There was no difficulty whatever in placing an income tax upon a thoroughly equitable and satisfactory footing; but until this was done he should protest with all his heart against increasing its aggressions upon the consciences and pockets of the community. He must entirely object to the application of the income tax, in its present unreformed state, to increase the Revenue in order that a surplus might be applied to the reduction of the National Debt. Everyone should contribute according to his ability, and there was no principle in taking £400 as the limit for the commencement of partial exemption from the tax, and in the entire exemption of incomes under £150. These exemptions were the sop offered in order to obtain consent to the scheme proposed. It was not his intention on that occasion to make an income tax speech; but he gave Notice that he should, on a future day, move a Resolution to the effect—

"That it is inexpedient to increase the revenue by adding to the burden of an inequitable and demoralizing Income Tax, particularly when the surplus anticipated is to be applied to the reduction of the National Debt."

Mr. LAING thought that, as a rule, they should not discuss the details of a Budget upon the first night; but upon the present occasion the real issue seemed to be narrowed down to the question how the increased expenditure was to be met, and under those circumstances it was right that those who, like himself, had a strong opinion that the Chancellor of the Exchequer was doing the right, if an unpopular thing, to state that opinion and participate in the unpopularity of it. On two former occasions he had criticized the Budgets of the right hon. Gentleman, and urged on him a policy resembling that which he had now adopted. In reference to the Sinking Fund, he said last year that it ought not to be proposed, unless there was a positive certainty that there would be an excess of income over expenditure; because, with a deficit, it would not carry with it the appearance of sincerity in the proposal. On the present occasion it was evident that the Chancellor of the Exchequer had had but three courses before him. He might have trusted, as he did last year, to sanguine estimates of Revenue, or he must have abandoned his scheme for the reduction of the National Debt; or, finally, he must have done what he had done that evening—namely, proposed an addition of 1*d.* to the income tax. As to meeting the deficit, which was a temporary one, by an addition to the permanent taxes on articles of consumption, such as the spirit duties for instance, that was a proposal which could not be regarded as worth a moment's consideration. Looking to the present circumstances of the country, it would have been most unwise for the right hon. Gentleman to have indulged in sanguine Estimates, knowing how much the credit of the country depended on the Estimates being correctly framed. He (Mr. Laing) had been opposed on previous occasions to taking too close a view of the Estimates, because such a view would tend to produce want of confidence and mistrust. Another reason why they should not run the Estimates too close was the state of the balances. The Chancellor of the Exchequer candidly admitted that the balances now were lower than it was desirable to have them. It was a most wholesome rule that we should keep our balances in such a state as not to have to go as a large borrower to the Bank of England, least we might create a crisis, and, looking at it from the point of view of the Exchequer, lose thousands where we were gaining hundreds. The circumstances of the last quarter were conclusive against any prudent Chancellor of the Exchequer venturing upon any sanguine Estimates, especially considering that he had in it the benefit of three days—the additional day in February, Good Friday, and the Bank Holiday, which might both have come in March—and these three additional days ought to have given over £700,000 or £800,000 more than would otherwise have been received. For his part he (Mr. Laing) was astonished that the Revenue kept up so well as it did, when they knew what was the state of trade in most of its leading branches. In many branches they were at present making no profit, and in others trade was hardly ever so bad; whilst it was notorious that wages, which had risen so rapidly in 1873, were now rapidly subsiding to a lower level; and, therefore, to take a sanguine view of the Estimates would certainly not be a prudent course. The only resources there were left open then to the right hon. Gentleman, as he had said, were an increase of the income tax, or the abandonment of the Sinking Fund arrangements of last year. Looking to the growing wealth of the country, he could not think that the income tax, reduced to one-half of what it was when Sir Robert Peel proposed it, could be considered a crushing amount of taxation as affecting the resources of the country. When it became evident that the time had come for making a moderate provision for the reduction of the National Debt—it might be right or wrong—but that step having been taken last year, they could not undo it afterwards without a shock to the credit of the country. With regard to the main principle—that relating to the income tax—he thought the Chancellor of the Exchequer was right. The additional 1*d.* allowing certain exceptions to small incomes, was, he considered, a fair proposal to make, although an additional ½*d.* without those exceptions would have been the same thing in its financial results, and it was a fair question for discussion which would have been the better. The right hon. Gentleman had, in fact, shown a considerable amount of moral courage in making a sound financial proposal, avoiding the temptation of resorting to unsound temporary expedients to meet the difficulty. He thought it only fair and right that he should say thus much, having criticized the proposal of the right hon. Gentleman last year.

MR. SANDFORD said, he thought that his right hon. Friend had acted wisely in adding 1*d.* to the income tax. He had also listened with peculiar pleasure to the statement of his right hon. Friend that he intended to further extend the exemptions under the tax. He wished they could be carried further, and he was inclined to believe, on a little more reflection, he might move on a future day that they should be extended still further. In consequence of the falling off in the Excise during the past year, he considered it was unsafe and unwise to calculate on a considerable increase in that Department, and to do so was taking too sanguine a view of the matter. The adherence of the Chancellor of the Exchequer to the proposition he made last Session for the reduction of the National Debt struck him (Mr. Sandford) as peculiar, from its having broken down in the first year of its trial; because, disguise it as they might, they had increased and not diminished the National Debt. We were paying this year £700,000 towards the reduction of the Debt, but we had added £4,000,000 to the Debt; and if we reduced the Debt only at the rate of £700,000, adding to it at the rate of £4,000,000, we should, in 1885, arrive at a very different result from that calculated upon by the Chancellor of the Exchequer. No doubt, the annuity of £200,000 from the Khedive was to be hypothecated towards payment of the interest on the £4,000,000; but could the Chancellor of the Exchequer reckon on receiving it? He thought it extremely uncertain, and he warned his right hon. Friend not to place too much reliance on Egyptian securities. It was an unhappy fact that in the first year the arrangement should have so far failed, and he called attention to it in the hope that future Chancellors of the Exchequer, instead of Icarian flights with a view to the reduction of the Debt, would direct their attention to the prevention of deficits, by taking the practical course of reducing the Estimates.

MR. RYLANDS said, that the right hon. Gentleman the Chancellor of the Exchequer had assumed that there were only two ways of putting an end to the deficit; either to propose additional taxation, or to tamper with the arrangements for the reduction of the National Debt; but he must remind him that there was a third mode of dealing with it, by the reduction of expenditure. The difficulties of the Chancellor of the Exchequer had entirely arisen from the enormous expenditure of the Government; and he had attempted to justify that expenditure by urging that they were no worse than their Predecessors, and that the additional increase in the expenditure arose from the increase of the population, and other unavoidable circumstances; but he entirely overlooked the fact, that whenever there was a Conservative Government in power, the expenditure of the country went on increasing. The right hon. Gentleman the Prime Minister was continually giving the country surprises—either by some extraordinary stroke of spirited foreign policy, or by some unexpected measure of home legislation; and so much was this the case, that hon. Gentlemen on the Conservative side of the House were as little able to calculate on what the right hon. Gentleman would do next, as those on the Opposition benches; but, at least, in the matter of expenditure, the course taken by the Prime Minister could occasion no surprise. In that respect, history invariably repeated itself. When Lord Palmerston was in power in 1865, and was succeeded by Lord Russell, the expenditure of the country stood at about £67,000,000; but in 1867 and 1868, Lord Derby and the right hon. Gentleman (Mr. Disraeli) increased the amount by about £3,000,000, exclusive of the charges on account of the Abyssinian War. In 1870-71, the expenditure under the Liberal Government was £69,698,539; and, although that amount was unnecessarily increased, owing to the panic arising out of the Franco-German War, yet when the right hon. Gentleman (Mr. Gladstone) left office the expenditure stood at £72,000,000. The present Government immediately commenced enlarging the Estimates—last year the total expenditure had increased to

£75,431,000, and for the coming year it was estimated at £78,044,000—an enormous sum, which could not be justified by the increase of the population. It was thus that the beneficent reductions of taxation which they had received from the right hon. Member for Greenwich were entirely lost so soon as the right hon. Gentleman opposite came into office. He (Mr. Rylands) was sorry to be obliged to admit that increased Estimates were popular with many hon. Members, with the London Press, and in the London clubs. The spending servants of the Crown had great influence over hon. Members of that House, over the Press, and over the clubs, and they formed a great trades union to support one another in their demands upon the public purse. His complaint against the Government was, that they yielded to, instead of resisting, the pressure that was brought to bear upon them to increase the expenditure. He believed that in every Department there was more or less waste, or needless expenditure; and in some instances, as they had recently seen in Committee on Civil Services, there had been actual jobbery. If the House would adopt the principle urged by Mr. Cobden of limiting the expenditure of the Government to a fixed and reasonable sum, he had no doubt that the unnecessary charges would be cut down, and that the Services would be kept in a state of efficiency at a much lower cost. It was perfectly scandalous that in a time of peace, and under general circumstances of a favourable character, the people of this country should be called upon to pay £78,000,000 a-year. He hoped the Motion would not be pressed that evening, and that time would be allowed to the country to express its opinion upon the proposals of the Government. At all events, it would now be seen that they could not have a Conservative Government without increased taxation, and that the "blundering and plundering" of the Liberal Government meant the reduction of taxation, and the increase of the comforts of the people.

Mr. CHARLES LEWIS supported the request that the Resolution should not be taken that evening, and expressed his great disappointment, as a Conservative, that the Government was departing from what was understood to be one of the leading lines of its policy—the abolition of the income tax. He had not forgotten that when the Government came into power, they found they were obliged to apply a portion of the surplus to the reduction of the income tax, which they had now re-imposed. He protested against its being carried out. In 1873, when the hon. Gentleman the Secretary to the Treasury (Mr. W. H. Smith) brought forward a Motion with reference to the income tax, the Chancellor of the Exchequer manfully protested against its being made a balancing entry from year to year, but last year it was put down, and this year it was to be put up. This income tax, which was originally proposed for three years, had been kept continually hanging round the necks of the people for 34 years under different pretences. They were told that it was not a permanent tax; but in reality it was, because every Chancellor of the Exchequer made his arrangements with regard to the reduction of taxation in a way to prevent the annihilation of the tax. The time had now arrived when the Government should deal plainly and fairly with the country in connection with this tax, for there was no security that they would not be asked next year for another 1*d.*, with an endeavour to charm the country by increasing the line of exemptions. These exemptions were delusive, and were full of incongruities. An income of £400 at 2*d.* in the pound paid 800 pence under the proposed rate of exemptions, at 3*d.* in the pound it would pay 840 pence. He called upon Her Majesty's Government and the House to devise some scheme to meet the case, for if they left the subject untouched, they would still have a tax which was unequal, unjust, and oppressive, and, in the words of a former Chancellor of the Exchequer, provocative of false returns. He would urge on the Government the absolute necessity of affording to the country a full opportunity of considering this serious increase of the income tax—this breach of an understanding come to two years ago that they would keep to 2*d.* in the pound—["No, no."]—well, if there were no such understanding, it was full time that an understanding should be come to, and that the public should be made aware upon what principles the income tax was not only to be continued, but increased. By their present proposal, they shut their eyes to a great social and commercial evil, and deserted the duty which rested upon the House and the Government to effectually grapple with the subject. The Chancellor of the Exchequer had sufficient ability to deal with the income tax on a fair and equitable basis, and unless some understanding to that effect was come to he should feel bound to vote against the proposal of the Government.

Mr. PEASE said, that concurring in what had been said as to its unjust incidence, he felt that the proposal to increase the income tax could not but be unpopular with the country; but he nevertheless thought that the Chancellor of the Exchequer would have been too sanguine if he had gone beyond the figures which he had laid before the House. He regretted two great items of this increased expenditure—the large amount devoted to paying off the National Debt and the additional cost of the Army and Navy, the latter exhibiting an increase of £1,100,000 on the year, and of £2,200,000 in excess of the estimates of the preceding Government. He had always objected to paying off the Debt by a hard and fast line, and it would have been much better as to both these items if the Government at a time of commercial depression had left the money to fructify in the pockets of the taxpayers. The country would do well to pay off the Debt in times of prosperity; but, under the present Budget, they would be paying it off at a time when it was incumbent on the Government to economize by every means in their power. Had they been economical, instead of their having to propose an increase on the income tax of 1*d.* in the pound there would have been an ample surplus. He trusted that the Resolution for an increase of the income tax would remain for some days in the hands of the Committee before a vote was asked upon it.

Colonel EGERTON LEIGH said, he had pleasure in congratulating his right hon. Friend on the excellent nature of his Budget. His (Colonel Leigh's) idea of a Chancellor of the Exchequer was one who paid his debts and kept the country out of all scrapes, and he thought his right hon. Friend the Chancellor of the Exchequer had not brought them into any scrapes. His right hon. Friend had proposed a fair mode of taxation, for it hit those who could afford to pay, and allowed those who were not possessed of such worldly means as others to escape. When "invasion" was talked of, it should be remembered that no small portion of the increased expenditure was required for the purpose of providing against an invasion of ignorance. The Government had been obliged to raise the pay of the Army, because, when every other description of labour had increased in value, that step was inevitable. No one grudged the increased expenditure for education, and it was unfair to blame the Government, who in that respect were only doing what their Predecessors ought to have done long ago.

Mr. MUNDELLA said, there was no doubt that if the right hon. Gentleman the Chancellor of the Exchequer was really obliged to provide for an expenditure of £78,000,000, he could hardly have brought before the House any other Budget than that which he had brought. He entirely approved two features of the Budget—the relief given by the right hon. Gentleman as to the paltry and vexatious tax on boys, and his determination to maintain the principle of reducing the National Debt. With regard to the former, he was astonished its aggregate amount was £40,000; that showed, however, what a vexatious impost it must be; while as to the latter, it would effect much more than the mere payment—it would have a good moral effect on the country. It would call out the best characteristics of the country and show that there was a moral obligation to do that as a nation which every private individual would accept as a moral obligation. He was also glad that the right hon. Gentleman had done his best to gild the pill by reducing the income tax on the smaller incomes—and he had really tried to lighten the burden upon them. But they all knew what the Inland Revenue did in such cases. They gave the screw another turn, so as to bring the man of small income within the prescribed amount. The House had seen how expansive the 1*d.* of income tax had been in the hands of successive Chancellors of the Exchequer; but he wished the right hon. Gentleman would turn his attention to its unjust incidence. No one could have forgotten the strong appeal made a few years ago by the hon. Gentleman the present Secretary to the Treasury when in opposition, yet the injustice and inequality of the tax remained unchanged. The Associated Chambers of Commerce had passed an unanimous resolution against any proposal to re-enact the income tax in any shape or form. Why was the Chancellor of the Exchequer under the necessity of imposing this extra 1*d.*? He rejoiced to see the increase of the Education Vote; but it only formed a small part of the present excess of expenditure. It was the profligate and unnecessary expenditure of an additional £1,100,000 upon the Army and Navy, at a moment when we had nothing to fear, which rendered it necessary to increase the income tax.

Colonel BERESFORD said, he had pleasure in congratulating the right hon. Gentleman the Chancellor of the Exchequer on the exemption from income tax which he had made in his Financial Statement in favour of those with small incomes. In his humble opinion, it would be approved by the country at large. The increase of the amount now exempted from tax on incomes of £300 per annum, from £80 to £120 would be a boon to men with small incomes; and he thanked the right hon. Gentleman for his statement which would go forth to the country, and be hailed with gratitude by the large body of men numbering hundreds of thousands, who would derive the benefit of this just legislation.

Mr. D. DAVIES considered that the addition of 1*d.* to the income tax was not much, and he also thanked the right hon. Gentleman the Chancellor of the Exchequer for the manner in which he dealt with the matter. He and those on his side of the House had no choice but to submit, and for his own part he should give his hearty support to the laying on of the additional 1*d.* The constituents of hon. Members on his (Mr. Davies's) side would have no tax to pay, and it was therefore very honourable and the right thing for the right hon. Gentleman to do. He was afraid, however, the right hon. Gentleman had been over sanguine as to the next year's revenue. He—and he was not alone in doing so—thought they were just on the borders of bad times, into which the country would in the ensuing year be more deeply plunged. He was perfectly disinterested in saying that he should willingly pay 1*d.* or even 2*d.* extra income tax; for, if the extra amount had been put upon spirits, he should have paid nothing, as he did not drink them.

Mr. PELL, while he acknowledged the Chancellor of the Exchequer's concession to small incomes, would be glad if some definite principle could be stated—some point fixed below which there should be no favour shown. He was afraid that the experiment was one that might be carried to a dangerous length. It was a sound principle that no part of a man's income should be taxed which was necessary for the support of life; but, in his opinion, a man with £400 was as much entitled to pay as one with £500 or £600. He also was desirous to know whether they were to have Supplementary Estimates: or in estimating their surplus at £368,000, had the Government not taken into consideration the paragraph in the Queen's Speech relating to the introduction of a Prisons Bill? Reference had been made to a sum of £4,000,000 as the present amount of Treasury Grants towards Local Taxation, and he was at a loss to know how that amount was accounted for unless it included £1,000,000 sterling which was to be appropriated to the police of Ireland. A very large sum, it should be observed, was devoted to the purposes of education. Regretting that something more had not been done for the relief of local taxation, he thanked the Chancellor of the Exchequer for his remarks on the modern system of loans. Every local authority, down to the smallest Vestry, had got into a confirmed habit, rendered possible by the Public Loans Commissioners, of borrowing sums for the most evanescent improvements. For instance, at a recent meeting of the Metropolitan Asylum Board there was a proposition to borrow a sum of money to be expended on iron tanks, and although the tanks would be sure to be full of holes in a few years, the repayment was to spread over 60 years.

Mr. MONK congratulated the Chancellor of the Exchequer on the unsensational character of his Budget. There were, however, two items in it to which he wished to draw the attention of the right hon. Gentleman—namely, the stamp duty and the Post Office. The right hon. Gentleman anticipated £11,000,000 from stamps and £5,950,000 from the Post Office; but he would draw attention to the fact that although the receipts from stamps and taxes as well as from the Post Office had increased steadily for some years past, the right hon. Gentleman had put the former down at less, and the latter at the same sum which they produced last year. He regretted to find that to meet a deficit of £800,000 the right hon. Gentleman had taken the retrograde step of proposing an increase of 1*d.* in the pound in the income tax. He thought it would have been better had a ½*d.* instead of 1*d.* addition been made to the tax, and he failed to see the justice of exemption to so high a figure as £400 a-year. A far better plan, and one of which the country would have been more tolerant, would have been to have increased the duty on spirits.

Mr. GORST said, the Chancellor of the Exchequer included among grants professedly in aid of local taxation many sums which were really expended for Imperial purposes. For instance, the first item that struck him was a grant of £10,000 a-year in aid of the Fire Brigade. He also found that the right hon. Gentleman had set down a large sum as what he called grants in aid of the criminal prosecutions of the country. He further found that of the £4,000,000 in aid of local taxation more than £1,000,000 was granted in aid of the Irish Constabulary. If the various items which did not properly come within that description were deducted, the £4,000,000 for grants in aid of local taxation would be reduced to a very small amount indeed.

Mr. ANDERSON said, the Chancellor of the Exchequer found himself in the face of a deficit, and although it was not a large one, yet he had to meet it, and he had stated he had only two alternatives—either to tamper with the scheme of last year for the reduction of Debt, or to increase the income tax, and he had chosen the latter. He (Mr. Anderson) by no means admitted that these were the only two alternatives. Last year he was one of those who denounced the scheme of the right hon. Gentleman, and the experience of this year ought to have satisfied the right hon. Gentleman that that scheme was altogether erroneous; for if he had not shut them up to the payment of £28,000,000 through good and bad times, and irrespective of the condition of the country, he would not have been in the position to-day of having to face a deficit, but his accounts would have balanced. Amongst other alternatives, the right hon. Gentleman might have increased the duty on spirits, which he thought would have been a proposal which would have been more popular with the country. There was also another thing to which he had not alluded, and which he (Mr. Anderson) commended to his consideration. That was the question of legacy and succession duty on property in the hands of corporations. There was an immense amount of property in the country which was shut up in that way without bearing its fair share of national taxation. It was put into the hands of corporations, and these corporations lasted for ever, and therefore the succession and legacy duty was not paid upon that property to the same extent that it was paid upon property left to private parties. It was believed that property in the hands of private persons paid legacy and succession duty on an average about once in 18 or 19 years, and the Chancellor of the Exchequer ought to bring the property of municipal and all other corporations under a similar payment, because there was a great mine of wealth untouched there at present. The real fault of the Budget, however, was not in the way the right hon. Gentleman met the deficit, but in the fact of having a deficit at all. They did not complain of the increase in the Civil Service Estimates, except in one or two particular cases to which the attention of the public had been drawn, and they did not complain even of the increased expenditure on the Navy, because that might be necessary too. What they did complain of was, the large expenditure in connection with the Army. It was there entirely that the mischief was done, and the Government ought to give their attention to the matter, or the expenditure would go on increasing, at the same time that the financial difficulties of the Government were increasing.

Mr. WHITWELL thought the right hon. Gentleman's system with regard to local loans was most commendable, and wished to know how much of the additional 1*d.* of the income tax would be absorbed in the further exemptions? Instead of making an abatement on incomes up to £400, he would suggest that it would be better to make an abatement of £300 in the case of all incomes.

Sir HENRY PEEK thought that, as between an increase of the spirit duties and the income tax, the Chancellor of the Exchequer had exercised a wise discretion in falling back upon the latter, for he doubted whether, through illicit distillation, an increase in the spirit duties would lead to an increase in revenue. He very much regretted that the right hon. Gentleman had not touched upon one point in his Statement—an amalgamation between the Customs and Excise Departments. There were now two very extensive Governing Bodies, and, considering that nineteen-twentieths of the Customs revenue were produced by the duties on four articles—tobacco, spirits, tea, and wine, he thought a considerable saving might be effected by such an amalgamation. That suggestion led to another—the propriety of doing away with the minor Customs duties, which now only yielded the difference between £19,300,000 and a little over £20,000,000. It would be of great public advantage to abolish the duties on coffee, chicory, and cocoa, among the other minor articles now subject to Customs duties. Another duty which might be reduced with advantage was the duty on silver plate. There was a complaint just now of a depreciation in the value of silver; but if the duty were diminished, silver plate would be largely substituted for electro plate in this country, and the consumption of silver would thus be increased.

Mr. MELLOR said, he had entertained the hope that in the advent of a Conservative Government to power a period of economy and retrenchment had arrived. They were, however, now living in a period of as great extravagance as ever, each Department vieing with one another as to which should go at the most rapid rate. In the item of superannuation of retired officers a constant increase was going on. There appeared to be a system of frequent re-organization and abolition of public offices; the holders were pensioned off frequently at an age at which they were still qualified to do good service to the country. In that way annual grants were being constantly created, and the consequence was there was never any reduction in the annual cost. In 1868-9, 130 pensions were granted, involving an annual charge of £27,591. In 1869-70, 243 pensions were granted, creating an annual charge of £85,129. In 1870-1, 280 pensions were granted, creating an annual charge of £63,737. In 1871-2, 117 places were abolished, the result being an annual charge of £27,243; and in 1872-3, 52 places were abolished, creating an annual charge of £23,449. He hoped the Chancellor of the Exchequer would turn his attention to this vicious system, which appeared continually at work, and more especially when there was a change of Government. It appeared to him as if people were sent adrift in order to extend the patronage of the Government. In the Woods and Forests Department also there was infamous and scandalous mismanagement, which should be looked into by the Government. In England and Wales, upon an annual rental of £312,944, the arrears amounted to over £52,000, of which a large proportion was declared to be irrecoverable. In Ireland, upon a rental of £42,000, the arrears were £86,000, or 201 per cent, £53,000 being declared to be irrecoverable. In Scotland the rental was £23,000, and the arrears £45,000. Such a state of things could only be explained by gross neglect on the part of those from whom greater vigilance was to be expected, and but for whose neglect there would be a considerable increase of revenue under this head. As some safeguard for proper accounts he would suggest that the names of defaulters whose rent was deemed irrecoverable should be given in the annual Returns of the Woods and Forests. In conclusion, he greatly regretted that they should have a national expenditure of £78,000,000 per annum, and he hoped that instead of adopting the alternative of putting a further duty on spirits, or of increasing the income tax, the Chancellor of the Exchequer and the Heads of Departments would turn their attention to the reduction of expenditure.

The CHANCELLOR of the EXCHEQUER, in reply, said, that after the general wish which had been expressed that the Resolution should not be proceeded with that evening, the Government would not press it. The dividends would be paid in a few days, and it was a matter of convenience to ascertain as soon as possible the rate of the tax and the deductions. However, he found that it was not absolutely necessary to pass the Resolution to-night, and he should therefore propose to report Progress and take the Resolution on Thursday. Though a considerable range of topics had been introduced, the point for discussion was a narrow one, upon which he hoped that hon. Members would be able to make up their minds on Thursday. As to the remarks which had been made that evening, he did not propose to enter into the general question of the merits or demerits of the income tax, or the consistency or inconsistency of his proposals. The proper time for doing so would be when the real discussion came on. Meanwhile, he would only correct one or two misapprehensions of his meaning. The hon. Member for South Leicestershire (Mr. Pell) asked whether, in estimating the surplus of £368,000, the Government had taken into consideration the paragraph in Her Majesty's gracious Speech referring to the Prisons Bill? He believed that his right hon. Friend the Secretary of State for the Home Department (Mr. Cross) would introduce the Prisons Bill shortly after Easter, and his explanations would satisfy the hon. Member that there was no inconsistency between the terms used in the Queen's Speech and the Budget Statement. The hon. Member had also asked, with reference to the grants in aid of local taxation, how much was included in the £4,000,000 of which he had spoken? The £4,000,000 was the sum set out in the two explanatory pages printed this year with the Miscellaneous Estimates, and they included those items to which the hon. and learned Member for Chatham (Mr. Gorst) referred—the Irish Constabulary, costs of criminal prosecutions, and so forth. He did not quite understand the objections of his hon. Friends. He was not endeavouring to raise any question as to the propriety of these Votes. What he wished to point out was that the additions to the expenditure formerly incurred under these heads had formed the main increase which had been complained of in the Civil Service Estimates. In fact, the whole increase could be accounted for partly by the increase in the Education Vote and partly by the addition to the Votes included in this class of services. Whether or not it was right to call them grants in aid of local taxation, they were sums which had been transferred from local to Imperial funds, and that point should be borne in mind when an increase of expenditure was spoken of. It was not altogether an increase, but rather a shifting of the burden from one shoulder to another. Then the hon. Member for Gloucester (Mr. Monk) challenged one or two of his estimates on the ground that they had been taken too low. With respect to Stamps, he did not think he had been at all too cautious in taking them at the same amount as last year. He remembered in his first Budget he made a very handsome calculation for an increase on Stamps, but, most unfortunately, he found himself thrown out by £340,000. On that occasion, Stamps were within a fraction of the same sum they had yielded the year before. Warned by that, he took Stamps last year at very nearly the amount they had produced the year before, and they more than answered his expectation. This year he also took them at the same amount as they had produced. He must remind hon. Gentlemen that the Stamp revenue was just the revenue which would be affected by the two or three days which we were to lose this year—the two Good Fridays and the Bank Holiday. Therefore he thought he had acted prudently in taking Stamps as he had done. So with regard to the Post Office, he had put the revenue as high, or rather higher, than the actual receipts justified. As they were this year bringing £50,000 out of the Post Office balances, which were somewhat larger than was necessary, that would make the receipts larger than the amount earned would justify. With respect to the suggestion of the hon. Member for Glasgow (Mr. Anderson), that the succession tax might be laid on corporations, he did not say that it would not be an equitable thing in itself, but he felt satisfied it would be a difficult tax to levy, and he must take time to consider the proposal. The hon. Baronet the Member for Mid-Surrey (Sir Henry Peek) reminded the Committee of his favourite proposal for amalgamating the Customs and Inland Revenue Departments. Though such a proceeding might appear economical, it would not be truly so. We might carry amalgamation too far, and might find that we were doing more harm than good. His hon. Friend had talked of abolishing small duties of Customs, such as on coffee, chicory, and fruit. But that was a proposal hardly apposite to the present occasion, nor was he in a position to consider such tempting suggestions. As to the abolition of the duty on silver plate, he would like first to hear what should be said by the Committee now sitting on the depreciation of silver. The hon. Member for Ashton-under-Lyne (Mr. Mellor) had made some very valuable remarks. He did not know, however, whether they bore on the proposals under consideration. But a Gentleman who devoted himself as his hon. Friend had done to the items of expenditure was doing, and would do, a good work. Chancellors of the Exchequer were always thankful to have their hands strengthened by those who would take the trouble to look into those matters, call attention to them, and censure what was wrong. Though it was not a very agreeable thing to listen to attacks on the Administration and to defend the office attacked, he thought such Gentlemen did great good. With regard to the income tax, what he said was this—that to add 1*d.* without making any alteration in the present arrangements would give £1,480,000 this year, and £320,000 next year, or £1,800,000 altogether. But if they took the exemptions proposed, he estimated that we should have £1,168,000 this year, and £230,000 next year, or about £1,400,000 in all. He thought it would be best for the Committee to consider the general question, and the discussion both of the propriety of meeting this deficit by increasing the income tax, and the manner in which the income tax should be assessed, on Thursday next. With that in view, he would propose that the Chairman report Progress, and ask leave to sit again.

Motion *agreed to.*

House *resumed.*

Committee report Progress; to sit again upon *Thursday.*

MERCHANT SHIPPING BILL—[Bill 49.]

(*Sir Charles Adderley, Mr. Edward Stanhope*).

COMMITTEE. [*Progress 30th March.*]

Bill *considered* in Committee.

(In the Committee.)

Clause 5 (Power to detain unsafe ships and procedure for such detention.)

Mr. T. E. SMITH, in moving as an Amendment, in page 2, line 19, to leave out "British," said, he had never been much alarmed by the proposed legislation with regard to shipping, for he had felt sure that any system adopted by the House would be applied equally, and for the interest of the whole, and though there might be a loss to the consumers, he had not thought legislation would materially affect the shipping interest individually. His private opinion was, that if the House were to legislate in such a manner as that no fresh capital were to be put into the business for the next 10 years, it would be a great deal better for those who had capital in it now. He did not, therefore, think if the subject were treated on a broad and general principle, it would materially affect the interests of particular shipowners. But he did feel that a proposition which dealt in a very strict and severe manner with regard to British ships was likely seriously to interfere with the interests of British shipowners. He therefore proposed that this legislation should apply to foreign ships. To the objection that the House would go beyond its province in legislating for foreign ships, he replied, we already legislated for them in regard to passengers, and surely the lives of sailors would justify equal interference, and such interference as was already found practicable in Canada and in the United States. Many ships sailing under foreign flags were just the ships the House desired to deal with; they sailed under foreign flags to evade existing British regulations, and the number of such ships would be increased, if this legislation were confined to British ships. Again, the exemption of foreign vessels from our legislation placed British ships under special disadvantages in the competition for trade, and he would give as an instance the fact that the other day the case was brought before him of two ships loading for the same port. One was an English ship, manned by an English crew, which was, of course, subject to Government supervision; the other vessel, built in England, and with British seamen on board, was under the Russian flag. The latter of these was going to sea with six large threshing machines on deck, which the other vessel would not be allowed to carry. That was not fair competition, and he hoped the Board of Trade would be able to find a remedy. For these reasons, he would move the Amendment of which he had given Notice.

Amendment proposed, in page 2, line 19, to leave out the word "British." —(*Mr. Eustace Smith.*)

Question proposed, "That the word 'British' stand part of the Clause."

Sir CHARLES ADDERLEY, in opposing the Amendment, said, he would admit that the point raised by the hon. Member was of very great importance. There could be no question that vessels which were exempt from restrictive laws in this country were placed in a position of considerable advantage. That was so much felt in Canada that strong language had been used in the Dominion Parliament, and they had asked to be treated as foreigners, if the Imperial Parliament did not impose the same laws upon foreigners as upon British subjects. It was no doubt a hardship upon the British shipowner that he should be stopped from putting to sea because his vessel was overloaded, when by his side there might be a foreign ship still more overloaded which was allowed to go to sea. The case might be put still more strongly, for the foreign ship, overloaded as she was, might take on her voyage the very cargo which had been taken out of the British vessel and convey it to a foreign port. That was an advantage of a somewhat iniquitous kind, and as it involved danger to human life, it was not a very creditable kind of competition. It must, however, be borne in mind that it could only be maintained at a countervailing risk, and possibly loss. The first argument he drew from this difficulty was that nothing could show more strongly the dangers of over-interference with British shipowners. If we strictly refrained from interfering more than was absolutely necessary for safety, those who were free from interference were also unsafe. No doubt we should as far as possible make all necessary Governvernment interference weigh equally on our foreign competitors and ourselves. What was the state of the law on this subject? As a general rule foreign ships in our ports were subject to our municipal law, and their crews were amenable to our criminal law. Practically, however, our Courts did not deal with matters affecting the discipline and management of a foreign vessel, or any concerns of her own, but only with what might affect general law, and then only in extreme cases, and that with reference always to their Consul. When a foreign ship took emigrants from an English port the Government saw that our rules were observed; but it was our own interest which was then looked after as it was when a foreign State took precautions against the landing of infected emigrants upon its shores. The English Government also surveyed foreign passenger steamers going between two English ports. The proposition, however, of the hon. Member for Tynemouth went much further. He proposed to say to foreign ships—"We will detain you, if we think you overloaded or in any way unseaworthy, and you shall not drown your men by running risks which we do not allow our ships to run." But that would be a great stretch of assumed jurisdiction over foreign subjects, and it would be a strong measure, in order to enforce it, to inflict penalties upon foreigners. They had been told that Canada dealt with foreigners in the same way as with Canadians; but Canada might venture to do things under cover as a colony which England, as the first maritime nation in the world, could hardly do without giving rise to disputes, and even running the risk of war. It would open the door not only to disputes, but to acts of retaliation. The Chilian Government only last year, after the loss of the *Tacna,* imposed a law for interference with our ships, and nothing but our stout remonstrances caused that law to be dropped. How could we, within the space of a few months, remonstrate against and enact against others such interference? How would English shipowners, moreover, like their ships in French, Spanish, or Italian ports to be subjected to be overhauled by the surveyors of those Governments as to the mode in which they should be loaded, equipped, and manned, according to whatever laws they chose to lay down, before they were allowed to enter or leave their ports? He knew the narrow jealousy with which our maritime superiority was regarded in some parts of the world, and would be sorry to see our ships under the control of foreign surveyors. If the proposal were agreed to, we must be prepared for retaliation, which would inflict far greater injury upon the multitude of British shipowners than could occur to any foreign State under the Bill. The hon. Member for Liverpool (Mr. Rathbone) had given Notice of a clause which should empower Her Majesty by Orders in Council to impose our merchant shipping laws upon such foreign nations as were willing to accept them. Treaties might be immediately entered upon for this purpose. That was a safe proposal, which could give no offence, and would be more likely to carry out the object which the hon. Gentleman had in view than the Amendment before the House. Safe terms might be carefully proposed on both sides. Other countries were showing a disposition to follow our lead in regard to the measurement of tonnage, the rule of the road at sea, and other maritime subjects. They were proposing also to prevent the transfer of unseaworthy ships from our flag to theirs. He was willing, as far as could safely be done, to follow the views of the hon. Member, but he trusted the House would reject the present sweeping Amendment.

Mr. SAMUDA said, he thought that great hardship would arise if British and foreign ships were not placed upon the same footing. Two ships might be loading side by side, the British ship being prevented from going to sea because she was overloaded, and the foreign ship being allowed to go, although in an equally dangerous condition. The foreign ship might, moreover, take as many English sailors to sea as were in the British ship and drown them. He hoped the right hon. Gentleman the President of the Board of Trade would view the Amendment in a more favourable light, as he did not think the alternative proposition would be acceptable to his hon. Friend the Member for Tynemouth. If his hon. Friend insisted that the same law should be applied to foreign shipowners as was applied to English shipowners, he should follow him into the Lobby.

Mr. PLIMSOLL said, the British shipowner had a perfect right to expect of the British House of Commons that they should not be placed at a disadvantage as compared with foreign shipowners. There could be no doubt we had a right to exercise powers of inspection as to equipment and loading over foreign ships in our ports, and the only question was how far that right ought to be exercised. It would be wrong in the interests of English shipowners if we allowed foreigners to come into our ports and to load more deeply than English ships. He thought by leaving out the term "British" a great portion of the object of his hon. Friend the Member for Tynemouth would be attained. He, however, would strongly advise the Committee to be cautious how far they legislated for foreign ships. He himself would not go further in this direction than overloading and other cognate subjects. In supporting the Amendment, he must be allowed to express his great gratification at the evident interest which was now being taken in the subject.

Mr. MAC IVER said, that he wished to support the Amendment of the hon. Member for Tynemouth (Mr. T. E. Smith); but he would like first to call the attention of the Committee to the wording of the clause as it stood in the Bill. It would be seen that in any case it was purely a permissive clause, and would not oblige the Board of Trade to deal with foreigners; but, on the other hand, if the Amendment were accepted, the clause would no longer, as was the case at present, specifically exclude foreign vessels coming into our ports from the operation of all such legislation. It was quite wrong that there should be any legislation for British vessels except such as could be equally applied to foreign vessels in British ports. The right hon. Gentleman the President of the Board of Trade had stated what he considered to be objections to this Amendment; but he (Mr. Mac Iver) had no doubt whatever that the clause so amended could be worked without any of the disadvantages which the right hon. Gentleman feared. The President of the Board of Trade spoke of foreign nations retaliating; but he (Mr. Mac Iver) saw no ground for fearing retaliation so long as our British laws were reasonable and just, but, of course, if we made a law that was not reasonable, it could not be right in the case of either the British shipowner or his foreign competitor. The hon. Member for Tynemouth referred to the inspection of foreign emigrant vessels in our ports, and the President of the Board of Trade replied somewhat in this way—that we did that for the sake of the British passengers on board of those vessels; but was that a sufficient reply? Did not the fact remain that we do deal with foreign vessels, carrying emigrants from British ports in the same way as we deal with British vessels? And he would remind the Committee that there were instances where we equally interfered under other circumstances with arriving foreign vessels. It was not possible for foreign vessels to bring gunpowder or petroleum into the docks of Liverpool any more than it was for British vessels to do so. It might be said that these were precautions dictated by considerations for the public safety; but he replied that it did not matter what might be the considerations, the fact remained that we could do these things, and that we did them. He did not wish to detain the Committee, but he desired to say that another strong reason why foreign vessels should not be specifically excluded from our legislation was that we had to face the question of transfers, and the case especially of those who might be disposed to transfer unseaworthy British vessels to foreign flags. He assured the Committee that that was no imaginary case, for he knew of vessels, more or less doubtful, of which there were presumable reasons to believe that the money for them was found in Great Britain, but which were registered in Norwegian and other names. Therefore he thought it ought to be in the power of the Board of Trade to reach such vessels, and he begged to support the Amendment.

MR. SHAW LEFEVRE heartily wished that the Amendment could be adopted, but doubted whether, as a matter of maritime policy, we could make these regulations as to foreign shipping lying within our ports. From time immemorial it had been the policy of the British Government to protest against any regulations imposed by foreign Governments upon British vessels in foreign ports, and it would not be wise to depart from that policy. He suggested, however, whether, by consultation with foreign Governments, these clauses might not be applied to the vessels of those countries in English ports, with the consent of the Consuls of those countries.

SIR JOHN HAY regretted that the President of the Board of Trade could only accept the new clause of the hon. Member for Liverpool (Mr. Rathbone), which would hardly be sufficient for the object in view. A foreign ship might be perfectly unseaworthy; it might have been transferred the day before to a foreign flag; it might have British seamen on board. Why, then, should not the Board of Trade take upon itself provisionally to stop it?

MR. MACGREGOR suggested that foreign vessels should be surveyed only as to overloading, and not for structural defects. If the Amendment of the hon. Member for Derby (Mr. Plimsoll) were adopted as well as that of the hon. Member for Liverpool, the difficulty would be met.

MR. GORST said, he would point out that by the 3rd sub-section of the 11th clause there was a provision by which an English ship, which might while in port have become a foreign ship by transfer, should still be subject to English rules and regulations.

SIR HENRY JAMES said, he would acknowledge the difficulties attending the question. It seemed unequal justice that foreign ships sailing from British ports should not be subjected to the same restrictions as British ships, and that thus not only life should be risked, but foreign shipowners should be enabled to compete on unequal terms with the British shipowner. It was almost impossible, however, to subject foreign ships to these restrictions under the present clause. From the point of view taken by its Mover, the Amendment appeared to be unanswerable; but, if our rules were to apply to all foreign vessels, it must be remembered that that did not confine them to all vessels starting from any of our ports. It would apply to any which came in either from stress of weather, or calling under the conditions of charter party, or any other transient cause; and, by the clause, all such foreign ships would become subject to the legislation of this country. His solution of the difficulty was to apply our municipal law to foreign vessels as far as we could by means of a separate clause.

LORD ESLINGTON thought it was scarcely worth while giving the Board of Trade a power which they would probably never venture to exercise. He was of opinion that if we framed regulations for our shipping which were found to be salutary, foreign nations would imitate us.

Mr. WILSON, as a shipowner, said, he could not imagine a more dangerous practice than an interference with foreign shipping in our own ports. Shipowners were much divided in opinion on this question, and he for one hoped that the right hon. Gentleman the President of the Board of Trade would adhere strongly to the views he had expressed with reference to the subject.

Mr. GOURLEY declared that the clause as it stood would handicap British ships by subjecting them to foreign municipal law.

Mr. WATKIN WILLIAMS supported the Amendment. It was impossible that they could have restrictions and regulations applicable to British ships with the view of saving life and property, and exempt foreign ships from the same provisions in our own ports. He could understand free trade, and a total absence of all restrictions and regulations; but while such legislation applied to our shipping, it ought in justice to apply all round. It was said that foreigners might retaliate on our ships when they were in foreign ports, but so long as the object was the same as our own—the protection of life and limb—let them retaliate.

Sir ANDREW LUSK admired the good intentions, but not the law and the policy, of the hon. and learned Gentleman. By the repeal of the Navigation Laws we gave foreigners certain rights in our ports, which no doubt we had not in foreign ports. It was impossible for us to legislate for foreign ships. We had no right to bring foreign property under our jurisdiction, and if we attempted it we should fail.

Mr. RITCHIE said, he did not think this was a case for retaliation. The object of the Amendment was simply to place foreign ships which came into our ports in the same position as our own. He could not understand why they should be treated differently, and he should therefore vote for the Amendment.

Mr. A. PEEL said, that if they made rules distasteful to foreign countries, foreigners might impose disadvantageous regulations on English ships in their ports. This was entirely a matter of conciliation and agreement, and resolved itself into a question of expediency. There were precedents to be found in the digest issued by the Board of Trade. Power was given by Order in Council to apply certain provisions of the Merchant Shipping Act to foreign ships by agreement with foreign Powers—with reference to collisions, for instance, and the engagement and discharge of seamen. This matter might be placed in the same category, and all distinctions might be done away with.

Mr. D. JENKINS said, he could not vote for the Amendment.

Mr. T. E. SMITH said, that as the strongest proof that what was proposed could be carried out without difficulty, he must be again allowed to refer to the successful working of the Canadian law with the United States. He must express his regret that the course adopted by the President of the Board of Trade left him no option but to take the sense of the Committee upon the question.

Question put.

The Committee *divided*:—Ayes 159; Noes 89: Majority 70.

Mr. PLIMSOLL moved, as an Amendment, in page 2, line 20, after "or," to insert "where any ship is." Its object was to secure that the provision of the clause relating to overloading and improper loading should apply to foreign as well as to British ships.

Sir CHARLES ADDERLEY said, it was useless to re-open a question which had already been discussed and decided. He had suggested a way in which foreigners might be treated with, which would come under discussion.

Mr. NORWOOD said, that foreigners were surprised at the way in which this question was being treated in England, and they took care not to follow our example.

Sir JOSEPH M'KENNA pointed out that, as the law now stood, an English ship unfit for sea, if sold to a foreign owner, could not be stopped. He asked if there was no cause, however gross, that would induce the Government to interfere and stop a vessel, no matter what her nationality was?

Lord ESLINGTON hoped the President of the Board of Trade would take the subject into his consideration.

Sir HENRY JAMES proposed that there should be added to the Amendment words which would limit the effect of the hon. Member for Derby's (Mr. Plimsoll's) Amendment to foreign ships "wholly or partially laden" in British ports.

THE CHANCELLOR OF THE EXCHEQUER said, this was a matter of some importance and some delicacy. The question was a difficult one to settle, as the Government had to steer between the Scylla of giving foreign ships an advantage over our own ships by imposing on our own ships restrictions which did not fall on foreign ships, and the Charybdis of so legislating with regard to foreign ships as to expose our own ships to retaliation in ports abroad. There ought to be time to consider this matter, and he would therefore suggest that both Amendments should be withdrawn. The Government would endeavour to meet the suggestion of the hon. Member for Derby, in order as far as possible to deal with the case of foreign ships overloading in a British port.

MR. PLIMSOLL said, he gladly accepted the suggestions of the right hon. Gentleman, and would withdraw his Amendment.

SIR HENRY JAMES said, he would consent to withdraw his Amendment.

Amendments, by leave, *withdrawn.*

SIR HENRY JAMES moved, as an Amendment, that the word "shall" be substituted for the word "may" in the clause, his object being to cast upon the Board of Trade the duty of immediate action when they had reason to believe that a vessel was unseaworthy.

THE ATTORNEY GENERAL argued that the word "may" in this instance was equivalent to "shall," and that the proposed alteration was unnecessary.

Amendment, by leave, *withdrawn.*

MR. T. E. SMITH moved, as an Amendment, in page 3, line 1, to leave out "three" and insert "seven," with a view to give the shipowner additional time to appeal against the report of a Surveyor of the Board of Trade.

SIR CHARLES ADDERLEY considered the extension of the time unnecessary. It would also inflict unnecessary expense on the shipowner. But if the shipowners themselves saw no objection to the delay, and hanging up a survey for so long in suspense, it was not for others to be afraid on their account.

MR. MACGREGOR supported the Amendment.

Amendment *agreed to;* word *substituted.*

On the Motion of Mr. T. E. SMITH, Amendment made, in page 3, line 7, by leaving out "twenty-four hours," and inserting "three days."

MR. GOURLEY proposed an Amendment, in page 3, line 10, sub-section 5, providing that in all cases where the master of a detained ship complied with the requirements of the local surveyor the latter should have power to release the ship.

SIR CHARLES ADDERLEY opposed the Amendment, on the ground that that was the wrong time to propose it. It would come more properly under the 8th and 10th sub-sections which dealt with the power of release; but certainly that power could not be entrusted to all and any surveyors, but only to the same officers who could detain: and any reference would now have to be made only to the district officer who could not be far off, and probably within a few minutes of time, by telegram.

MR. GOURLEY said, he would have no objection to insert the words at the close of sub-section 10.

Amendment, by leave, *withdrawn.*

LORD ESLINGTON moved, as an Amendment, in page 3, after sub-section 11, to insert the following new sub-section:—

"(12.) In every case where the Board of Trade shall provisionally detain a ship, such Board shall forthwith deliver to the owner or master of such ship a statement in writing of the information upon which they have acted, and the name of the person from whom such information was received, and, if such information was given in writing, an entire copy of such writing shall be included in the statement so to be delivered."

SIR CHARLES ADDERLEY said, he did not object to the proposed sub-section down to "and the name of the person," &c. If those words were omitted, he should not oppose the sub-section.

Words *struck out.*

Amendment, as amended, *considered.*

MR. PLIMSOLL said, a provision of the kind had been adopted in 1871, with the effect of stopping all information, and had been deliberately withdrawn by Parliament in 1873. He was now defending an action for libel because he had forwarded to the Board of Trade a telegram which he had received respecting a ship which was surveyed and reported to be seaworthy.

Sir HENRY JAMES opposed the Amendment, on the ground that it would, if acted upon, necessarily disclose the identity of the informant.

Mr. T. E. SMITH supported the proposal for the protection of the shipowners against rash and ill-considered information. He thought that the shipowner had a right to know who made the complaint against him.

The ATTORNEY GENERAL said, the Amendment only sanctioned the present practice of the Board of Trade of furnishing the shipowner with the information upon which they acted.

Mr. SHAW LEFEVRE opposed the Amendment as it would lead to the discovery of the name of the informant, and would thus tend to check the giving of information.

Mr. NORWOOD contended that, in justice to the shipowners, the Board of Trade ought to be compelled to notify them of the information upon which they acted.

Mr. WATKIN WILLIAMS suggested that the Amendment should be altered by omitting the word "information" and substituting for it "a statement in writing of the grounds upon which the Board of Trade have acted."

Sir CHARLES ADDERLEY asked the noble Lord to withdraw his Amendment, promising that on the Report he would introduce into a prior clause, where it would be more appropriate, words which would effect the object he had in view.

Lord ESLINGTON said, he would withdraw his Amendment, reserving to himself the right, if he did not approve of the words introduced by the President of the Board of Trade, to oppose them.

Amendment, by leave, *withdrawn.*

On Question, That the clause, as amended, stand part of the Bill?

Mr. MAC IVER moved its rejection, on the ground that it would establish a most un-English system of espionage.

Motion *negatived.*

Clause, as amended, *agreed to.*

Mr. Plimsoll

Clause 6 (Constitution of court of survey for appeals).

Mr. T. E. SMITH moved, as an Amendment, in page 4, line 13, to leave out from "experience" to "judge," in line 20, and insert—

> "And shall be appointed, one by the Board of Trade, either generally or in each case, out of a list of persons periodically nominated for the purpose by the local marine board of the port, or if there is no such board, by a body of local shipowners or merchants approved for the purpose by a Secretary of State; or, if there is no such body, by the Judge, and the other out of such list by the parties nominating same."

Mr. GOLDSMID said, he would move that the Chairman report Progress, and ask leave to sit again.

Sir CHARLES ADDERLEY hoped the Motion would be withdrawn, and that the Committee would allow him to take the next three clauses.

Motion made, and Question put, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Goldsmid.*)

The Committee *divided:* — Ayes 43; Noes 204: Majority 161.

Mr. E. JENKINS said, he would move that the Chairman do now leave the Chair. ["Oh, oh!"] The clause with which it was now proposed to proceed was one affecting the interests of the Courts.

The CHANCELLOR of the EXCHEQUER, in opposing the Motion, said, the Bill they were now discussing was a most important one to the shipping interest of this country. The division that had just taken place showed what the feeling on the subject was. He ventured, therefore, to appeal to the hon. Member who made the Motion not to press it. There were three clauses, and only two Amendments which they were anxious to dispose of that night, and he hoped the Committee, by its resolution to go on, would show the country that the House of Commons were not playing with the Bill. The hon. Member could hardly know the effect of his own Amendment, which would be to put an end to the Bill.

Mr. NORWOOD seconded the appeal of the right hon. Gentleman, and expressed a hope that the hon. Member for Dundee would withdraw his Motion.

Mr. GOLDSMID declared that during the tenure of office of the last three Governments it had been the practice to adjourn discussions in Committee on important Bills as soon after 12 o'clock as possible. ["Oh, oh."] That allowed a reasonable amount of time for any other Business on the Paper. But the present Government were constantly proposing to go on with important measures at a very late hour, which he considered most unsatisfactory, especially before Easter. He defended the Motion on the ground that the hon. Member for Derby (Mr. Plimsoll) had voted in the minority.

Mr. PLIMSOLL explained that he had voted in the minority for the adjournment of the debate because he had sat there so many hours that he was tired. Moreover, he considered these three most important clauses, and hoped the Government would permit them to come fresh to the discussion.

Mr. PEASE expressed his concurrence.

Mr. BECKETT DENISON remarked that when the Irish Church Bill, the Ballot Bill, and the Education Bill of the late Government were under consideration, they had constantly been in the habit of sitting in Committee until 2 or 3 o'clock in the morning.

Mr. CALLAN said, he remembered divisions on the Irish Church Bill at 3 o'clock in the morning.

Motion made, and Question put, "That the Chairman do now leave the Chair."—(*Mr. Edward Jenkins.*)

The Committee *divided:*—Ayes 29; Noes 198: Majority 169.

Motion made, and Question proposed, "That the Chairman report Progress, and ask leave to sit again."—(*Mr. Biggar.*)

The CHANCELLOR of the EXCHEQUER said, they had better either get on with their business or go to bed. It was perfectly clear that they would not be allowed to get on with their business, so they had better assent to the Motion.

Question put, and *agreed to.*

House *resumed.*

Committee report Progress; to sit again upon *Thursday.*

ECCLESIASTICAL ASSESSMENTS (SCOTLAND) BILL.—[Bill 106.]

(*The Lord Advocate, Mr. Secretary Cross, Sir Henry Selwin-Ibbetson.*)

SECOND READING.

Order for Second Reading read.

Mr. CAMPBELL - BANNERMAN made an appeal to the Government to postpone the second reading of the Bill until after Easter, because it was drawn in such a manner that its provisions were not yet understood in Scotland.

Mr. ASSHETON CROSS said, he did not object to postpone the Bill until after the Easter holidays. At the same time he begged to give Notice that he should raise a point of Order, if the hon. Member for the Falkirk Burghs (Mr. Ramsay) persisted in his Amendment against the Bill when it did come on.

Mr. RAMSAY said, his belief was that the Bill contained no principle at all, and therefore he joined in the appeal that it should be put off until the people of Scotland had had an opportunity of considering what its provisions were.

Second Reading *deferred* till *Thursday 27th April.*

House adjourned at half
after One o'clock.

HOUSE OF LORDS,

Tuesday, 4th April, 1876.

MINUTES.]—Public Bills—*Second Reading*—Irish Peerage (32).

Second Reading — Committee negatived — Third Reading — Mutiny*; Marine Mutiny,* and *passed.*

Third Reading—Burgesses (Scotland)* (35); United Parishes (Scotland)* (19), and *passed.*

IRISH PEERAGE BILL.—(No. 32.)

(*The Lord Inchiquin.*)

SECOND READING.

Order of the Day for the Second Reading, read.

Lord INCHIQUIN, in moving that the Bill be now read the second time, said, before he proceeded to explain the measure he wished to call to the recollection of their Lordships that the House now occupied a different position in reference to this question from that which it occupied when he first ventured to bring it forward. Two years ago he brought forward a Motion for an Address to the Throne praying Her Majesty to consent to a limitation of the Prerogative of the Crown, so far as related to the creation of Irish Peerages as provided by the Act of Union; and that Motion, although it was not carried, met with the general approval of their Lordships. Subsequently a Select Committee was appointed on the Motion of the Earl of Rosebery to inquire into the position of the Scotch and Irish Peerage, and the laws relating thereto. That Committee was presided over by the noble Earl; and after taking evidence and considering the question laid before them, they agreed upon a Report which was laid upon the Table of the House towards the end of 1874. In that Report the Committee expressed their unanimous opinion that every addition to the Irish Peerage only increased and perpetuated the anomalous condition of that body. The Committee then proceeded to make certain recommendations in reference to Scotch Peerages, with which he would not trouble the House; and with regard to Irish Peerages, they trusted that Her Majesty might be advised to renounce her undoubted prerogative of creating Irish Peers. The Committee also recommended that the original number of Irish Representative Peers should be restored, and that Irish and Scotch Peers who were not summoned to the House of Lords, should not be disabled from sitting in the House of Commons for any constituency in the United Kingdom. Those were the recommendations of the Select Committee. The following year, as Her Majesty's Government had not thought it advisable to take any steps towards legislation, the late Lord Stanhope, whose loss they all deplored, brought forward a Motion in almost similar terms to the one he (Lord Inchiquin) had moved the year before, and that Motion, slightly altered from the terms in which it was originally proposed, was agreed to. The Resolution was—

> "That an Address be presented to Her Majesty, praying Her Majesty that the power conferred on Her Majesty under the Act of Union for the creation of Irish Peers may not stand in the way of consideration by Parliament of any measure relating thereto which may be introduced."

Lord Inchiquin

The Reply of Her Majesty to that Address was—

> "Relying on the wisdom of Parliament, I do not desire that the powers reserved to me by the Act of Union of making creations and promotions in the Peerage of Ireland should stand in the way of the consideration by Parliament of any measure that may be introduced on that subject."

That was the position of the question at the end of last Session. He, in common with most of their Lordships, had been somewhat disappointed that after the Address agreed to by their Lordships and the Queen's Reply to it, the Government had not thought it advisable to bring in a Bill this Session dealing with the subject—because he felt strongly that this was a question that would be more appropriately dealt with by the Government than by a private Member. As, however, they had not done so, he, in common with others, thought it would be advisable somewhat early in the Session to place a Bill upon the subject before their Lordships, and, therefore, he had had the present Bill prepared. He would wish to point out that the aspect of the question was considerably altered from what it was when he addressed their Lordships before on the subject. He was then under the impression that the existence of the Prerogative of the Crown was the principal difficulty which stood in the way of dealing with the question. He believed that was the feeling of the House generally. That feeling was certainly shared in by the Select Committee, when they expressed the hope that Her Majesty might be advised to forego her undoubted Prerogative for the creation of Irish Peers. If he had understood the noble and learned Lord on the Woolsack rightly, when the Question was debated last year, his argument was that the creation of Peers, being one of the main Prerogatives of the Crown, as long as England and Scotland remained two separate kingdoms, so long did the Prerogative of the Crown for the creation of Peers of Scotland remain; but that when the Union of Scotland with England took place the Prerogative ceased, and that by the Act of Union the existing Peers of Scotland became Peers of Great Britain. Similarly when the Union of Ireland with Great Britain took place the Prerogative of the Crown which previously existed, under which Her Majesty created Peers of Ireland, ceased, as a matter of course, and Peers of Ireland became Peers of the United Kingdom with all the privileges appertaining to them—with the one exception of sitting and voting in the House of Lords. In the case of the Union with Ireland, as the noble and learned Lord knew, there was this difference from the Act of Union with Scotland, that power was given to the Crown, under certain circumstances, to create Peers of Ireland and to make promotions in the Irish Peerage. The circumstances were these — that when three Irish Peerages became extinct the Crown might create one new Peer; and when it should happen that the number of Irish Peerages, exclusive of those Irish Peers who might be also Peers of the United Kingdom, should be reduced to 100, the Crown might create a new Peer for every Peerage that should thereafter become extinct. The main object of this was that the Peerage of Ireland should be maintained as a separate Peerage, and that the numbers should always be kept at 100. The Lord Chancellor adduced in support of his argument that, in the patent of creation of Irish Peers, this special power given to the Crown was invariably recited. But if there had been any question at all with regard to this subject, the difficulty had been entirely removed by the gracious Answer of Her Majesty to the Address which their Lordships presented to her last year. He therefore contended that it was justifiable for Parliament to deal with this subject; and from the Answer which he had read it was competent for a private Peer to come forward and present a Bill dealing with the subject. There was one other difference which he should like to point out in the position of matters now from what they were when he brought this subject under the notice of the House before. Since then three if not four Peerages had become extinct, and one Peer of Ireland had been created a Peer of the United Kingdom. Consequently, the number of Irish Peers at this time could not be much more than 100; and, therefore, if it was desirable that an end should be put to the creation of Peers of Ireland, it appeared to him that this was the proper time for Parliament to legislate for that end. As to the desirability, it appeared to him almost unnecessary, when this question had been for two Sessions before the House, that he should go at any very great length into that proposition; but he might, perhaps, be allowed to shortly state what were the arguments in favour of it. The 4th clause of the Act of Union was much opposed at the time it was passed—so much so that Lord Cornwallis, writing on the subject, said, that if the clause was persisted in it would very much endanger the passing of the Act of Union. Lord Cornwallis called attention to the violent opposition which existed among the Peers of Ireland to the clause, and pressed upon the Government the necessity of withdrawing it. But a greater pressure was brought to bear upon the Peers of Ireland at that time than could possibly be brought in these days. But even after being coerced into giving an assent to the Act they made a strong Protest against this special power. Twenty of the Peers of Ireland signed a Protest against this power, which was to be found upon the Journals of the Irish House of Lords. The Protest set out that by the provisions of the 4th clause—

> "The Irish Peerage was to be kept up for ever—thereby perpetuating the degrading distinction by which the Irish Peerage was to continue stripped of all Parliamentary functions."

And they suggest that the perpetuating—

> "of such distinction would have been avoided by providing that no Irish Peer should thereafter be created (as was the case with Scotch Peers), and that when their numbers should be reduced to 28 they should be declared Peers of the United Empire."

That was the Protest entered upon the Journals of the House, and, it was signed by the Duke of Leinster and 19 other Peers of Ireland. He need scarcely say that the Peers of Ireland were now as strongly opposed to these additions to the Peerage as the Peers of Ireland who signed that Protest were. These were the principal provisions of the Bill he now ventured to propose. The 1st clause proposed to deal with that provision of the Act of Union which related to the creation of Irish Peerages; but it did not propose to repeal the whole of the clause. The power of promoting in the Irish Peerage would be left to the Crown as at present. The 2nd clause, provided an addition of 4 Representative Peers—or, he should rather say, a restoration, because it was distinctly agreed at the time of the Union that the number of Peers who represented Ireland in the House of Lords should be 32—and at the present time there were only 28—so that the original number of 32 would be restored. The 3rd clause provided that the Lord Chancellor, being satisfied that a Representative Peer had become entitled by creation or descent to an hereditary seat in the House of Lords, the seat of such Peer should be deemed vacant, and the Lord Chancellor should direct the issue of a writ for the election of a Representative Peer in his stead. He wished to point out the existence of a great anomaly with regard to this matter. One of the Representative Peers of Ireland had been lately created a Peer of the United Kingdom, and if this Bill passed the noble Lord, who had sat for 30 years in that House as an Earl, would be compelled to sit at the end of the list of Barons. What disadvantage that might be he did not know, but at any rate it appeared to be somewhat of an anomaly. The 4th clause provided for the mode of election for the Representative Peers of Ireland, and for those additional Peers proposed to be added by the Bill. The election was to take place in the same manner as at present—he confessed he was individually in favour of the minority vote being introduced. He was opposed to it on the Select Committee; but upon re-consideration he thought this was a fitting time for inserting the minority clause, to remedy what at present was considered by many Peers to be an injustice. With reference to the 5th clause—that providing that the oath of allegiance might be taken before any Justice of the Peace—the reason for putting that in the Bill was, that under the Act of Parliament it was required to be taken compulsorily before either an Irish Justice of the Peace or in the Court of Chancery in Ireland. The clause as it stood in the Bill provided that in future the oath might be taken before any justice of the peace; but since the Bill had been printed it had been pointed out to him by two gentlemen who had been engaged in revising the statutes that the necessity for taking the oath had been done away with. This might be the case; and before they went into Committee upon the Bill he had no doubt that he would be able to ascertain whether the clause was necessary or not. The last clause of the Bill provided that Peers of Ireland, other than Representative Peers, should not be disqualified from sitting or serving in the House of Commons for any constituency in Ireland. He might point out that at the present time the Peers of Ireland had a right to be elected to serve in the House of Commons for any constituency in England, but had not the power of being elected for seats in Ireland. He could not help thinking that it was desirable to give this power, because it was unreasonable that while Irish Peers were not admitted to the House of Lords they should also be excluded from taking any part whatever in the legislation of the country unless they could obtain a seat for an English constituency. Those were the whole of the provisions in this Bill. He need only add that his sole object in bringing the measure before their Lordships was to remove what he looked upon as a great anomaly, and he might also say a great degradation. There was a story told of His Majesty King George III. when Mr. Pitt asked him to grant to a political supporter the privilege of driving down Constitution Hill, His Majesty replied that he could not grant him that privilege, but that he should be happy to make the person an Irish Peer. He must say that when the fountain of honour considered it a greater privilege to drive down Constitution Hill than to possess an Irish Peerage their Lordships would agree with him that it must be looked upon as a somewhat doubtful privilege, and he was afraid that down to the present time the distinction had been looked upon in a somewhat doubtful light. His object was to remove those distinctions. He had been told that it was not improbable that objection would be taken in the other House of Parliament to the provisions of the Bill by the Members of the Home Rule party; but if that were the case he could imagine nothing more unpatriotic on their part. For these reasons he asked their Lordships to remove what had been looked upon for so long a time as an invidious distinction, and he hoped his proposal would meet with the approval of their Lordships.

Moved, "That the Bill be now read 2ª."—(*The Lord Inchiquin.*)

THE LORD CHANCELLOR congratulated his noble Friend on his clear and comprehensive statement of the position of this question: but at the same time he thought his noble Friend was not quite correct in stating that the question was in a different position now from what it was before—because the title of the Queen to create Irish Peerages was always a Parliamentary title. The Bill of his noble Friend embraced four different points. First, it would put a stop to the creation of any fresh Irish Peerages; next, it would prevent an Irish Peer from continuing to be a Representative Peer of Ireland after he became a Peer of the Realm; thirdly, it would increase the number of Representative Peers for Ireland from 28 to 32; and, lastly, it would permit Irish Peers to sit for Irish counties or boroughs in the House of Commons. In regard to the creation of Irish Peers, there was a great difference between them and Scotch Peers. At the time of the Union between England and Scotland no power to create Scottish Peers as distinct from Peers of the Realm was given to the Crown. But at the Union with Ireland, with the view of keeping up the constituent body from which the Irish Representative Peers were to be chosen, a different course was taken. The result had been, the Scotch Peerage, as a distinct one, had almost come to an end. He could not give the numbers, but at this moment the number of Scotch Peers was very much smaller than at the time of the Union. But in Ireland the Crown was compelled to keep up the number to a certain point. Everyone, he believed, would admit it would have been a great advantage, if at the time some arrangement had been made for merging the separate Peerages of Scotland and Ireland in one Peerage of the United Kingdom. In the case of the Scotch Peerage such a merger had become more practicable; and no doubt it was that consideration which induced the Committee to recommend that there should be no fresh creation of Irish Peers. He thought it would be impossible to answer the arguments which had been advanced in favour of that proposal, and Her Majesty's Government had no desire or opinion contrary to it. As to the next point, that no Irish Peer should continue to be a Representative Peer on succeeding to an hereditary seat in this House he thought there would be no difference of opinion whatever, because it never could have been intended that any one should enjoy a Representative Peerage and an hereditary Peerage at the same time. It was clearly an oversight in the Act of Union that it did not contain a provision to that effect. When the other parts of the Bill came to be discussed in Committee they might possibly give rise to a diversity of opinion. He found that the proposal to increase the number of Representative Peers from 28 to 32 was carried in the Committee upstairs by a majority of only 11 to 7. He did not know what arguments had been adduced before the Committee in favour of that proposal, but it appeared to him to be open to considerable objection. The arrangement at the time of the Union was, not that there should be 32 representative Temporal Peers, but that the two Estates—the Temporal and the Spiritual—there should be a representation to the extent of 28 in the former case and of four in the latter. Parliament having, in its wisdom, thought fit to put an end to the Irish Church as a State Church, and to the seats of the Irish Lords Spiritual, it did not at all follow that the seats of the latter should be added to those already held by the Irish Lords Temporal. He was bound to say that, if by legislation, they put an end to one constituent body it was an illogical consequence that they should transfer its representatives to another and different body. As to the proposal to increase the number of Representative Temporal Peers, he thought the logic lay the other way, and that if they took means for the gradual extinction of the constituent body, they ought to diminish, not increase, the number of the representative body. As to the proposal to give power to Irish Peers other than Representative Peers to sit in the House of Commons for Irish Constituencies, he thought their Lordships would hardly do well to enter upon that question, for it seemed to touch the Privileges of the House of Commons. He might be asked why, after what he had said, the Government did not propose legislation on this subject? If a Bill of this character went to the other House it would be difficult to prevent suggestions for further alterations as to which there might be great differences of opinion; and having regard to the exigencies of Public Business and to the differences of opinion that might arise he thought that the Government could scarcely have been expected to assume the responsibility of legislation in this matter, but the Government would be sorry to put any impediment in the way of his noble Friend; and perhaps a measure of this kind would be attended by a more fortunate result when proposed by a private Member than if it were supposed to be a Government measure.

Lord CARLINGFORD said, there were difficulties in the matter, but he was quite ready to agree to the second reading of the Bill. He had heard the declarations from the noble and learned Lord on the Woolsack with great satisfaction, for they had now the prospect of getting rid of the gross and mischievous constitutional anomaly that within these Realms there should be an inferior order of Peerage. It seemed inconsistent in the noble Lord (Lord Inchiquin) to say that the fresh creation of Irish Peers was an evil and ought to be stopped, and then to provide for the addition of four more to the present number. His noble Friend, however, was not responsible for this inconsistency. It got into the Report in Committee on the Motion of a noble Friend sitting on his own side of the House (the Earl of Rosebery). As to any difficulties which might be met with in the other House, he thought the Government could, if they would take the subject in hand, remove them and pass the measure safely through Parliament; but, whether the Government did so this year or the next, he hoped they would see their way to bring the matter to a satisfactory conclusion. It could not be called a restitution of the four Peerages lost by the Act of 1870, because they were strictly ecclesiastical Peerages, and the four proposed to be added could not be said in any way to represent a Church that had ceased to exist. He must express his thanks to the Government for their declaration in favour of the measure, and he wished they were prepared to take it up themselves.

Lord ORANMORE and BROWNE protested against the proposed change; but when Her Majesty's Government gave its consent to the principle of a Bill there was very little use in attempting to oppose it. He could not understand why there should be so much anxiety exhibited to get rid of this only small privilege which the Irish gentleman possessed apart from the Englishman. There had been 25 Irish Peers created since the Union. Eight of these were extinct, and out of the 17 remaining five were English Peers and two Representatives; so to be created an Irish Peer was not a barren honour, but gave Irishmen a chance they would not otherwise have of becoming Members of that House. He conceived that it was a fallacious idea to suppose that if no more Irish Peers were created, that the same persons who now received that honour would be made English Peers; for the two principal causes that conduced to the elevation of country gentlemen to that House were political influence and great fortune. The Land Bill had deprived Irish gentlemen of the former, and owing to the absence of minerals and manufactures in Ireland, Irish fortunes did not increase in proportion to English. Thus, without this Bill, the chances of Irishmen to become Members of this House daily decreased. He had become a Member of the House through this system, and he would not lend a hand to throw down the ladder by which he had mounted. Though the Peerage of his noble Friend who brought forward this Bill dated long previous to the Union, yet he had undertaken a somewhat invidious task in proposing a measure which would diminish the chances of his countrymen of obtaining a seat in that House. He regretted that Her Majesty's Government had changed their mind on this question since last Session, but he should certainly oppose it.

The Earl of ROSEBERY said, that, as Chairman of the Committee whose Report had been referred to by his noble Friend (Lord Carlingford), he would take that opportunity of stating that he was not responsible for the Report as it stood. The draft Report was a good deal knocked about in Committee. The 4th clause was not meant to be considered purely on its own footing, but in connection with another clause; and in its present form in the Bill he could not support it. He considered that the four ecclesiastical Peers who had been removed in consequence of the disestablishment of the Irish Church represented Irish interests in that House with as much vitality as the other Irish Representative Peers, while from their abilities and learning they were an addition to their Lordships' House, and equal to any four secular Peers that could be selected to represent Ireland. And as the confessed object of their Lordships was to do away with the anomaly of Peerages unconnected with legislative responsibility, he begged to point out that the cessation of new creations on the one hand, and the increase of the number of Representatives on the other, were calculated to further that object.

The Earl of BELMORE said, that as far as the principle of the Bill was concerned he was glad to find that the Government had assented to it. This method of extinguishing the present anomaly appeared to be the only practicable one, and the only one that would have a chance of passing through Parliament. Since the Act of Union 78 Irish Peerages had become extinct, and in about another similar period of time the other Peerages whose present owners had not seats in that House might possibly likewise become extinct. There were various objections made to the admission of all the Irish Peers to seats in the House of Lords—some of them fanciful objections—but the most practical one was that it would give an increased Conservative majority in that House, and there was no chance that the Opposition would allow such a Bill to pass both Houses of the Legislature. He believed that there were about 13 Liberal Irish Peers not in the House, but the large majority of the Irish Peers who had not hereditary seats in the House were Conservatives. There was, indeed, a method suggested in a pamphlet, attributed to a noble Lord connected with Scotland, and who proposed that all Scotch Peers should be admitted, and all Representative Irish Peers should be turned out, and that a certain number of the longest-created Irish Peers of different politics should be brought into the House, so as to balance parties; but the result would have been that whilst all the Liberal Irish Peers would be admitted, most of the present Representative Peers, some of whom were well acquainted with Public Business, would be shut out from public life. He thought that the only way to deal with the question properly was by the gradual extinction of Irish Peers. Though not inclined to oppose the second reading of the Bill, he should move in Committee an Amendment to the effect that Representative Peers elected after the passing of this Act, who should succeed to hereditary Peerages, should be exempted from the operation of the clause. He supported the proposition for the representation by Irish Peers of Irish constituencies in the House of Commons. He understood that that the hon. and learned Member for Limerick had in a former Session brought in a Bill with this object, and he therefore thought there would be no difficulty in passing a measure enabling Irish Peers to sit in the other House of Parliament for Irish constituencies.

Lord DENMAN congratulated the noble Lord who had brought forward this Bill on the very able manner in which he had stated his case. Sir William Temple had said that there were too many Peers in his time, but the great evil in the Irish system was the election of Peers; but if it were necessary to reduce the number of Peers of the United Kingdom of Great Britain and Ireland, he (Lord Denman) rather than allow Irish and Scotch Peers to have ground of complaint, would himself submit to the chance of being elected or rejected by Peers of the United Kingdom of Great Britain and Ireland. He regretted that the Library of the House of Lords only contained the debates down to the year 1797, so that the Protest alluded to by the noble Lord could not be found in it. He thought that the noble Lord on the Woolsack, in wishing that Irish Peers were on the same footing as Scotch Peers, had offered an insult to every Irish Peer who had been created since the Union. He believed that the Prerogative of the Crown was abridged by the Union, and it might be remembered that the Peerage of the great Lord Clive was an Irish Peerage for 30 years —and probably no seat was taken in Dublin—before the Union. Such Peerages—one after every third vacancy—might be preferred by gentlemen unwilling to quit Ireland, who might wish to join in electing Representative Peers, Her Majesty had left the decision to the wisdom of Parliament, but the noble Lord on the Woolsack had called it wisdom which excluded the four Spiritual Peers from the House of Lords, while every one here still regretted their exclusion from amongst them, creating the vacancy of four, which it was required now to fill up. The noble Lord on the Woolsack, who was by no means infallible, had carried the Minority Clause when only a Law Lord against the Government; but in fact, as in the case of Birmingham, the dominant party must always have a majority. Her Majesty might, if she chose to act on her Prerogative, make every Irish Peer an hereditary Peer of Great Britain and Ireland; but he hoped that if the Bill went into Committee care would be taken that no change was made which would impair the right of the Sovereign to chose her hereditary Councillors, with or without seats in this House.

Lord DUNSANY pointed out that one very useful function discharged by Irish Peers who had not seats in that House was the maintenance of an independence of thought and action which was not too common in Ireland, and which he was afraid might not continue if the temptation of sitting in the House of Commons for Irish boroughs were held out to them. He thought, however, that his noble Friend deserved thanks for having introduced this measure, which would remove a gross anomaly. There were several proposals he had hoped to see included in any Bill of this kind which were not to be found in this. He thought, for instance, that there should be a provision that no Irish Peer who succeeded to an hereditary Peerage should be permitted to vote at the election of a Representative Peer for Ireland. He had hoped also to see a provision for cumulative voting, by which that portion of the Irish Peerage which held Liberal opinions might have some chance of being represented. As the Government appeared to favour the Bill he should not offer any opposition to the second reading; but he should in Committee move clauses embodying the principles he had just suggested.

Motion *agreed to;* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Friday*, the 28*th instant.*

Lord Denman

THE RESPONSIBILITY OF TRUSTEES.

QUESTION. OBSERVATIONS.

The Earl of BELMORE, in asking a Question of the Lord Chancellor respecting the case of "Edmunds *v.* Edmunds," decided in the Court of Vice Chancellor Hall, said the case was one of considerable interest. Thomas Upfill died possessed of some shares in the Birmingham Banking Company and other property. He appointed three trustees, to whom he gave absolute power of conversion and sale and of investment, as they might think proper from time to time, Mr. Edmunds becoming the sole acting trustee. Mr. Edmunds did not convert the shares which the testator held at the time of his decease; but he not only retained these shares, but he purchased other shares in the same banking company out of the estate, the bank at the time being a success. Afterwards the shares fell in value, and Mr. Edmunds, the plaintiff, who had a beneficial interest under the will, sought to make Mr. Edmunds, the respondent, responsible for the loss on all the shares. The Vice Chancellor held that Mr. Edmunds was not liable for the loss on those which the testator had died possessed of, but he was made liable for the loss on the shares which he had purchased out of the estate. He (the Earl of Belmore) was himself a trustee, and if he understood the judgment of the Vice Chancellor correctly, he should be held liable for loss on any shares in which he might invest the trust property. He therefore desired to ask the Lord Chancellor, If his attention has been directed to the judgment of Vice Chancellor Sir Charles Hall on the 20th of March instant, in the case of "Edmunds *v.* Edmunds," as reported in *The Times* of the 21st March; and, if so, whether he had considered the desirability of proposing to Parliament some further legislation with a view of rendering more secure the position of trustees acting *bonâ fide* in the execution of trusts undertaken by them?

The LORD CHANCELLOR said, the noble Earl had derived his information from a newspaper report, which he had not read; but he had referred to the shorthand writer's notes of the judgment of the learned Vice Chancellor who decided the case. He found there was nothing in the case but what, he was sorry to say, frequently occurred in the Court of Chancery—a trustee had invested money in securities in which he had no authority to invest. He was authorized to hold those bank shares which the testator had purchased and bequeathed to him upon the trusts of his will, but he was not authorized to invest the testator's estate in the purchase of other shares, and therefore the Vice Chancellor could do nothing else than hold him liable for the loss sustained in the shares which he had purchased. In doing this, the Vice Chancellor had done that which Judges frequently found themselves compelled to do—that was, he had expressed his regret that he should have to give judgment against a man who had done no moral wrong. That being so, he saw no necessity for any alteration in the law. He would remind their Lordships that out of tenderness to trustees an Act of Parliament was a few years ago passed enabling trustees, when they had investments to make, to apply to a Judge in Chambers for advice as to the mode of making them, and if they procured that advice they were indemnified in case any loss should accrue to the estate of which they were trustees.

House adjourned at half past Six o'clock, to Thursday next, a quarter before Two o'clock.

HOUSE OF COMMONS,

Tuesday, 4*th April*, 1876.

MINUTES.] — Public Bills — *Committee — Report* — Partition Act (1868) Amendment (*re-comm.*) * [73].
Third Reading—Drugging of Animals * [85], and *passed.*

THE NEWFOUNDLAND FISHERIES.

QUESTION.

Captain G. E. PRICE asked the Under Secretary of State for the Colonies, Whether his attention has been called to a leading article in the "Morning Advertiser" of March 21st, upon the Newfoundland Fishery question, in which it is stated that the Report of Captain Erskine, whilst senior naval officer on that station, upon the relations existing between the French and English fishermen, was considerably abridged and modified by the authorities before presentation; and, whether, the facts are as so stated; and if he will lay upon the Table of the House a Copy of Captain Erskine's original Report?

Mr. J. LOWTHER: I have seen the article in *The Morning Advertiser* to which the hon. and gallant Gentleman refers, and I may say it is the case that the Report of Captain Erskine was abridged. The reason for the adoption of that course was that the Report, which was in great part highly confidential in its character, contained references to matters of extreme delicacy, which are at this moment engaging the attention of a mixed Commission sitting in Paris. Under these circumstances the hon. and gallant Gentleman will see that it is not possible either to publish the Report, or to lay it on the Table of the House. I hope, however, that the state of negotiations will very shortly admit of some further communication being made to Parliament.

THE WINDWARD ISLANDS—FEDERATION.—QUESTION.

Mr. COWPER-TEMPLE asked the Under Secretary of State for the Colonies, Whether the remonstrance of the Assembly of Barbadoes against being included in a federation of the Windward Islands, will receive due consideration; and, whether it is intended to abandon or modify the proposal for confederation?

Mr. J. LOWTHER: Lord Carnarvon has, in a despatch written in January last, and published in the colony, explicitly stated that—

> "Her Majesty's Government could not proceed with any measure of confederation in the Windward Islands except on the spontaneous request of each Legislature concerned."

It is not known here whether any proposal for confederation is now before the Legislature of Barbadoes; and until information is received as to the precise course which is being taken by the local Government it is impossible to express any opinion.

POST OFFICE — FEMALE CLERKS IN THE SAVINGS BANK DEPARTMENT.

QUESTION.

Mr. JAMES asked the Postmaster General, If any classification is contemplated in the pay of the female Clerks at present employed in the Post Office Savings Bank Department of the Post Office; and, if so, on what basis it is to be made, and how soon it is to take effect?

Lord JOHN MANNERS, in reply, said, the classification of the female clerks in the Savings Bank department would be shortly made. The proportion of rates of pay of the different classes, as authorized by the Treasury, would be found in page 543 of the Estimates of the current year, and the clerks would be promoted according to their proved proficiency during their period of probation.

PUBLIC HEALTH (IRELAND)—DUBLIN.

QUESTION.

Mr. BUTT (for Dr. O'Leary) asked the Chief Secretary for Ireland, Whether he is aware that the Public Health Committee of the Corporation of Dublin, as the sanitary authority under the Act of 1874, called a meeting by circular, for Wednesday the 8th of March, of the Medical Sanitary Officers of Dublin, to ascertain their opinion as to the cause of the high death rate (39 per thousand); if such meeting was held, and what opinion was expressed by the Medical Sanitary Officers, and what recommendation the said officers made; and, whether the Public Health Committee has taken any action upon such recommendation; and, if not, whether the Government will do so?

Sir MICHAEL HICKS-BEACH: Sir, I am informed that such a meeting was held on the 15th of March, and that the opinion expressed by the meeting was that the cause of the high death-rate which has recently prevailed in Dublin was mainly due to diseases of the respiratory organs. Of 230 deaths within the three months in excess of the average of the corresponding quarter of the 10 previous years, 175 were due to diseases of this kind. The most preventible diseases, as fever and scarlet fever, show a marked decrease as compared with previous years. No explanation was given to or by the meeting on the subject. The Returns will be laid on the Table.

POST OFFICE—RURAL POST OFFICE MESSENGERS (IRELAND).

QUESTION.

Lord ROBERT MONTAGU asked the Postmaster General, Whether he has received a memorial signed by 415 rural Post Office messengers in Ireland; and, whether he has any intention to increase their pay to more than ten shillings per week?

Lord JOHN MANNERS: No, Sir, I have received no memorial whatever on the subject to which the Question of the noble Lord refers. There is no fixed rule as to the wages of the rural post messengers in Ireland. The pay in their case is regulated by the amount and value of the work done.

POOR INSPECTORS (SCOTLAND)—SUPERANNUATION.—QUESTION.

Sir ROBERT ANSTRUTHER asked the Lord Advocate, Whether he is prepared, in the present Session, to introduce a measure providing for the superannuation of Inspectors of the Poor in Scotland?

The LORD ADVOCATE, in reply, said, that he hoped to be able to introduce a measure this Session for the amendment of the Poor Laws in Scotland, which would contain provision for the superannuation of Inspectors of the Poor.

POST OFFICE TELEGRAPHS — GLENGARRIFFE.—QUESTION.

Mr. SULLIVAN asked the Postmaster General, If he can state why postal telegraph service had been withdrawn from Glengarriffe, County Cork; and, when we may hope for its restoration?

Lord JOHN MANNERS: I can assure the hon. Member that I appreciate far too highly the charms and beauties of Glengarriffe to deprive it of postal telegraphic communication. The fact is that the postmistress there has resigned, and the postal communication has necessarily been suspended in consequence. I hope to see it soon restored.

PARLIAMENT—ARRANGEMENT OF PUBLIC BUSINESS.

OBSERVATIONS. QUESTION.

The Marquess of HARTINGTON: With the permission of the House I will put a Question to the right hon. Gentleman the First Lord of the Treasury as to the arrangement of Public Business. The right hon. Gentleman stated yesterday that, subject to the progress of Business, he proposed that the House should rise at the conclusion of the Sitting on Monday next. I think it will be convenient to the House if the right hon. Gentleman can state what Business it is proposed to proceed with during the week, and upon the progress of what Business the arrangement he contemplates will depend. There is also another matter upon which I should like to put a Question. Hon. Members will have observed upon the Paper a Notice, which stands for Thursday, of a Motion by my hon. Friend the Member for Hackney (Mr. Fawcett) for an Address to the Crown on the subject of the Royal Titles. I may take this opportunity of mentioning that my hon. Friend placed this Notice on the Paper without any communication whatever either with me or, so far as I am aware, with any of my hon. Friends who sit near me. At the same time the House will, I am sure, observe that this is a Motion relating to a very important matter; and they will be anxious to know whether it is probable that this Motion will be brought on either before or shortly after the Easter holidays. I understand it is not the wish of my hon. Friend to bring forward the Motion before Easter, unless by not doing so he will lose the opportunity of taking the sense of the House upon the question which he has raised before the issue of the Proclamation contingent upon the passing of the Royal Titles Bill. I should therefore like to ask the the right hon. Gentleman, Whether he can give to the House any information as to the course the Government propose to take with regard to the Royal Proclamation in the event of the Royal Titles Bill becoming law?

Mr. DISRAELI: I sketched to the House a day or two ago, what I thought would be the probable course of Public Business, and I mentioned how many days were at the command of the Government. At present we have only two days at our command—Thursday and Monday—that is, provided the House adjourns on Monday night. The business of the Government on those two nights is exceedingly pressing. On Thursday we have to deal with the Budget Resolutions, and on Monday we have to take one of the most important Votes in the Navy Estimates, the nature of which, as the House is aware, will admit of no delay. In that case, even if there were no other considerations, the probable time that we have at our command is very limited, provided we adjourn on Monday. But the noble Lord has introduced another element into consideration, on which I am disposed myself not to favour delay. If the policy of the Government is challenged I think it is much better that we should at once encounter such opposition. And although it is a course extremely inconvenient, and at first sight seems almost impossible, consistently with the plan I have suggested as to the adjournment, to secure a day for the discussion of the Motion of the hon. Member for Hackney, still perhaps we might arrange it if the House assist us. We shall have three days at our command if we can induce those hon. Members who have Motions for Friday to come to our aid. There are eight Motions for Friday, equally divided between the two great Parties in the State. Four of them are Motions by Followers of the noble Lord, and four by Gentlemen who favour the Government with their confidence. I think, under these circumstances, we may possibly, by making an united appeal, induce hon. Gentlemen to assist us. The Motions are all interesting, I admit; but they are not very urgent, and I have no doubt that in the course of the Session, hon. Members will be able to obtain other and favourable opportunities for their discussion. Now, if the eight Members equally divided between the two sides of the House would assist the noble Lord and myself in our common wish to secure a discussion of the Motion of the hon. Member for Hackney, what I would propose would be this—that we should proceed on Thursday with the Budget Resolutions of which I have given Notice; that on Friday, if it is clear, we will take the Motion respecting the Royal Title; and on Monday proceed with the Navy Estimates. If that arrangement should be made, the House could adjourn on Monday evening. The Votes must, indeed, be reported on Tuesday, but that is a mere form, and virtually on Monday our sittings will close. We are, however, in the hands of hon. Members; but if the Friends of the noble Lord will assist us in this plan I have no doubt that the great object can be attained of securing a discussion of the Motion of the hon. Member for Hackney, and of adjourning the House at the period I have named.

THE MARQUESS OF HARTINGTON: Mr. Speaker, there is one question which I should like to put to you with respect to the statement just made by the right hon. Gentleman. I understood that you had expressed an opinion that it would not be in Order for my hon. Friend the Member for Hackney to bring forward the Motion of which he has given Notice as long as there is any possibility of the Royal Titles Bill being returned for the consideration of this House. I understand that the Bill will not pass its final stage in "another place" until Friday. Therefore, I should be glad to know, in the event of hon. Members complying with the request of the right Gentleman, whether it would be competent for my hon. Friend to bring forward his Motion on that day?

MR. SPEAKER: It is contrary to the practice of this House to consider any Resolution bearing upon a Bill before the other House of Parliament until that Bill has been read in the other House a third time. The Bill in question is ordered to be read a third time in the other House on Friday next, and if the Motion of the hon. Member for Hackney were to come on that day before the Bill had been read a third time, the whole proceeding would be contrary to the practice of this House. The Motion of the hon. Member for Hackney could not properly be entertained until the Bill had been read a third time. I may be permitted to point out to the House that as on Friday the House has, by Standing Order, fixed the Committee of Supply as the First Order of the Day, the Navy Estimates might, for the convenience of the House, be taken on that day, and the Motion of the hon. Member for Hackney on the following Monday.

MR. DISRAELI: I have no objection to substitute Monday for Friday for the Motion of the hon. Member for Hackney. From what I have heard I imagine that the Bill might arrive in time for the hon. Member for Hackney's Motion; but I shall have great pleasure, as I have said, in substituting Monday for Friday, provided the Government have the same assistance from the Friends of the noble Lord which I count on from Gentlemen on this side. Otherwise, it will not be in our power to do it.

MR. FAWCETT expressed his acknowledgments to the Prime Minister for enabling him to bring forward his Motion on Monday.

MR. GOSCHEN asked whether it was the understanding that hon. Members should have an opportunity of bringing forward their Motions on the Navy Estimates?

SIR H. DRUMMOND WOLFF said, he had a Motion on the Paper for Friday with regard to the Suez Canal, and he postponed that with the greatest possible reluctance, and only on the understanding that the Government would give him an opportunity of bringing on his Motion before the negotiations which had taken place between Colonel Stokes and M. de Lesseps were brought to the knowledge of the general meeting of the shareholders in Paris.

MR. DISRAELI: My hon. Friend the Member for Christchurch will, as far as I can judge, have an opportunity of raising a discussion on the Suez Canal. I would express a hope that if the Motion of the hon. Member for Hackney is to be brought forward on Monday it will be concluded that night. I may remind the House that the subject is one on which many hon. Members have expressed their opinions.

SIR CHARLES W. DILKE asked whether the Navy Votes would be reported on Monday or Tuesday?

MR. W. H. SMITH said, on Monday.

THE MARQUESS OF HARTINGTON: To prevent any possibility of misunderstanding I will just point out that there are one or two Members not present for whom it is impossible for me or any one else to speak positively until we have communicated with them about their Motions on Friday. Of course, I will do what lies in my power to facilitate what appears to be the wish of the House on this subject. But what I principally rose for was to point out what I understood to be our position, in order that there may be no misconception about it. I understand that on Friday the Navy Estimates will be taken, and that we shall be in exactly the same position as if those Estimates were to be taken on Monday; that is to say, any Motion relative to naval affairs which might have been moved on the Speaker's leaving the Chair on Monday would be equally entitled to be moved on the Speaker's leaving the Chair on Friday.

MR. DISRAELI: Our object is, at all events, to obtain the necessary Vote.

INLAND REVENUE—EXCISE BLENDING OF IRISH WHISKEY.

MOTION FOR A SELECT COMMITTEE.

MR. O'SULLIVAN, in rising to call the attention of the House to the practice which is sanctioned by Her Majesty's Government of blending and thereby adulterating Irish Whiskey in Her Majesty's Customs and Inland Revenue Stores, and to move—

> "That a Select Committee be appointed to inquire into the practice which has been permitted of late years of mixing Whiskey in Her Majesty's Bonding and Inland Revenue Stores with other spirits; to report to this House whether the practice is injurious to the public and to the manufacturers of Irish Whiskey, and whether, in the opinion of the Committee, the practice ought or ought not to be discontinued,"

said, he felt he laboured under some difficulty in introducing this subject to the House, as the very mention of the word "whiskey" was sufficient to provoke a smile in the case of most hon. Gentlemen. He would commence by informing the House that he did not rise in the interest of the distiller; neither did he rise in the interest of the whiskey-drinker, as there was not a man in that Assembly, not even excepting the hon. Baronet the Member for Carlisle, who despised the habitual drunkard more than he did; he rose simply in the interest of the public, and with a strong love of justice and fair play. For a long time before he became a Member of that House he saw with regret how the distilling trade in Ireland was being undermined, and its good name destroyed by a practice which was carried on extensively in Dublin and Belfast—that was, of mixing a cheap spirit made by Coffer's "patent still" with some Irish whiskey, and then sending the mixture out for consumption as pure Irish whiskey. This practice was connived at by the Government of the country, and consequently was daily increasing in extent. His first effort to stop this fraudulent practice was made in June, 1874, when he asked the Chancellor of the Exchequer—

> "If it is a fact that spirits imported from other countries into Ireland are allowed to be mixed with Irish whiskey in Her Majesty's Custom House, under the sanction of the Custom House Officers; and, if so, whether Her Majesty's Government, with a view of doing justice to the manufacturers and consumers of pure whiskey, will take such measures as may be necessary to prevent the continuance of such a system of trade?"

He would read to the House the reply of the Chancellor of the Exchequer to his Question. Here was the statement—

> "It is illegal to mix spirits imported from foreign countries into Ireland with Irish whiskey in bond; but it is legal to mix spirits imported from one part of the United Kingdom into the other, and therefore spirits imported from England and Scotland into Ireland are occasionally mixed in bond. There is no desire on the part of the officers of the Revenue that that practice should continue, and, as far as they are concerned, they will be willing that every cask of spirits should be taken out of bond exactly as it was put in bond; but it would be a great inconvenience to the dealer if a rule to that effect were rigidly enforced, and there was therefore no intention to discontinue, or rather to prohibit the present practice; but when the spirits were so mixed, care was taken that the name of the distiller should be erased, and on each cask was impressed the word 'mixed' or 'blended,' to show that the spirit was not pure."—[3 *Hansard*, ccxix. 1268-9.]

Was that a reply worthy of the Chancellor of the Exchequer of a great commercial nation? "'Blended' was substituted to show that the spirits were not pure." Then, again, he told the House that mixing was not permitted in the case of foreign spirits. He (Mr. O'Sullivan) was well aware it was not permitted in the case of foreign spirits. Foreigners had their Governments to protect them from such fraud; but the Irishman should depend on the Government of England for protection. The right hon. Gentleman had further stated that there was no desire on the part of the officers of the Revenue that this practice should be discontinued. In these few words the whole secret of this transaction lay, for the guiding star at the Revenue Department did not wish this fraud on the Irish manufacturer to be discontinued, but rather that it should continue until the trade of the Irish manufacturer was gone and his good name destroyed. He gave full credit to the Chancellor of the Exchequer for a desire to have justice done to the Irish manufacturer; but he seemed to have been completely overruled by the authorities at Somerset House, the heads of which, when called on by the Lords of the Treasury to simply report on the subject of mixing whiskey, actually went out of their way to become the advocates of the Scotch manufacturer of silent spirits, and to traduce the character of the Irish distillers by making statements in their Report which were calculated to injure the Irish trade, and which they could not sustain when they were publicly challenged to do so. In the same reply the Chancellor of the Exchequer said it would be inconvenient to traders if the practice were stopped, and it might be urged that trade was unduly restricted. Well, he thought the very best answer he could give to that portion of the right hon. Gentleman's statement was to refer the House to 122 Petitions, which had been presented to the House since the opening of the present Session, and which had been signed by 1,987 dealers, merchants, and retailers of spirits in Ireland, praying the Government to prevent the system of mixing spirits in Her Majesty's bonding stores. He believed that the stopping of this practice would be no inconvenience to the large number of fair traders; but that it would be a great inconvenience to 15 or 20 traders who were making a fortune in this manner at the expense of the public. Some time after the Chancellor of the Exchequer refused to stop this mixing he received a letter from one of those Dublin blenders, who said that this blending was sanctioned by Act of Parliament, and wound up by enclosing his trade circular to the Chancellor, who thanked the writer for his information on the subject. He would not have troubled the House with this blender's letter, were it not that he wanted to show how the public were deceived by the protection which the Government gave to this fraudulent practice. Shortly after this letter was written he found an advertisement from the writer in *The Wine Trade Review*, headed "Dublin Whiskey," advertizing his bottled whiskey, and saying—"As this whiskey is bottled under the supervision of the officers of Her Majesty's Revenue, the trade have an absolute guarantee of its being pure unblended Dublin whiskey." Could anything be plainer than that, when it was a well-known fact that the Government permitted all sorts of mixing to be carried on under the supervision of the Revenue officer? This blender told the public that the trade had an absolute guarantee that it was not blended, because it was bottled under the supervision of Her Majesty's Revenue officers. Some men thought they were patriots when they could ascend a platform and make a long speech; but give him the patriot who would try to protect the trade and the interest of his country even at a little loss to himself. Pope told them that—

> "Wretches hang that jurymen may dine."

He could parallel it with one for the special behoof of a few Irishmen in this case, and say—"Let trade and country perish that individuals may accumulate wealth." The next move made in this matter was on the 19th of April, 1875, when he moved an Amendment in Committee on the Sale of Food and Drugs Bill—

> "That no person shall be permitted to mix, colour, or stain any food while in Her Majesty's Custom House Stores."

After some discussion on this Amendment, the Chancellor of the Exchequer said this clause to prevent the mixing of whiskey in bond went beyond the scope of the Bill. At the same time, he suggested that he (Mr. O'Sullivan) should make an appointment to meet him, together with the practical officers of the Customs. On the strength of that proposition he withdrew his Amendment, and a day was then named, and the hon. Member for Dublin (Mr. Brooks), himself, and some Irish distillers, met the Chancellor of the Exchequer at his official residence. The distillers laid their case before him, and showed the injustice that was done to them by having an inferior article substituted for theirs. They even went so far as to say they would be satisfied if the following rules were carried out by the officers of the Inland Revenue:—

That the word "blended" be painted on each cask containing mixed whiskey, and that the Government permit which accompanied the whiskey so mixed should clearly state that it was mixed whiskey, so that the purchaser should know what he was buying, and be protected from fraud. He was sure the House could agree with him in saying this was not too much to expect from the Government, who were trying to protect the public by passing a Food and Drug Bill, who had passed a Bill for the protection of trade marks, and who had passed a very elaborate Bill for sanitary purposes. This letter was referred to the heads of the Inland Revenue Department, from which emanated the famous Report to which he would have to refer by-and-by. Immediately after the interview between his deputation and the Chancellor of the Exchequer, a deputation of Scotch gentlemen waited on the Chancellor of the Exchequer for the purpose of protesting against any change in the law with regard to the blending of whiskey in bond, or branding of casks. They were introduced by the hon. Member for Glasgow (Mr. Anderson). When his hon. Friend was introducing this deputation, he was reported by the papers to have made some extraordinary remarks on the subject. He was reported to have said that—"The duty of Government was a purely fiscal one—namely, the collection of Revenue arising from the sale of spirits." Did the hon. Member mean to convey that the Government owed no moral obligation to the people? that they were to be simply machines for the collection of taxes? Did he think for a moment that they were not morally bound to protect the lives, the health, and the sanity of the people? All he would say was, that if this was the hon. Gentleman's standard of moral law, he hoped he would keep it at the other side of the Border. Again, he would ask the hon. Member, did he not see the very inconsistent position occupied by himself and his Scotch friends on the occasion referred to? They were all aware that Scotland was celebrated for its herrings, and, he believed, justly so. Hon. Members must also be well aware how Scotchmen had continued to importune the Government every other day, until they got the Government to brand their herrings, so that no one in the Kingdom could impose on the consumer by saying he had Scotch herrings when that was not the case. And now these Scotchmen cried out to the Government—"Don't brand our whiskey," or, in other words, "If you do we can't sell it as Irish whiskey." A very able article appeared in *The Times* on this question in the early part of this year, but the writer fell into an error in this respect—that he seemed to make it appear that Dublin was the only part of Ireland in which pure pot whiskey was manufactured, when the fact was, that it was manufactured in many towns in Ireland. There was Cork, for instance, where the Cork Distilleries Company paid, he believed, over £500,000 a-year to the Revenue; and that from one company in Ireland would give some idea of the trade that was done. They—the Cork Distilleries Company—did not take much interest in the matter, for this reason—that, to the credit of the Cork merchants be it said, this fraudulent practice was almost unknown there. There was a very smart paper in Scotland called *The Scotsman,* which was furious with *The Times* for helping to expose this fraud on the public. In an article—on the 7th February, 1876—in defence of the existing system, that paper made use of two extraordinary statements. First, it said that a number of the Irish distillers were Scotchmen, and that it was simply a case of Scotchmen outwitting Scotchmen. He (Mr. O'Sullivan) was not aware, so far as he could learn, that there were more than one or two Scotchmen engaged in the distilling trade in Ireland; but supposing, for argument's sake, that every one of them was a Scotchman, that was no reason why they should be allowed to deceive the public and destroy fair trade. The second argument used by this paper was still more curious. It stated that the fraud—if it was a fraud —was practised chiefly on Irishmen, who were incapable of telling the difference between good and bad whiskey. All he would say to this latter argument was, that though the writer might be a good judge of Scotch toddy, he was a very bad judge of an Irishman's opinion. The same paper, in the same article, stated that "in Scotland no whiskey is called Irish, for that name would not be regarded as commendatory in Scotland." He (Mr. O'Sullivan) held ay was—"If you do, why not let it stand on its own merits, and not try to sell it as Irish whiskey?" He could see no reason whatever for allowing this practice to continue, unless it was that the speculative jealousy of a few manufacturers in this country seemed to have more weight with the Government to destroy any manufactory in his country than all the Irish Members had in prevailing on the Government to do a simple act of justice. What would the public say if the Government were to allow deeds which were deposited in the Registry of Deeds Office to be tampered with for the purpose of private gain? Yet their conduct in permitting Irish whiskey to be tampered with while in their custody was just as bad. It was the habit of some merchants to get over Scotch whiskey and then to re-ship it to England as Irish whiskey. That was not done for the purpose of mixing, but was a fraud upon the consumer, and the way to put a stop to it was to direct that it should be retained in bond until it was 12 months old. It was shipped to Ireland, the Scotch permit was cancelled, and it was then sent to England to deceive the English consumer. The Scotch would not send their whiskey to Ireland for nothing, or unless there was something to be gained by it. If instead of being immediately transhipped it was kept in bond for 12 months, the greatest benefit would be conferred upon society, because the whiskey would get rid of all the fusel oil and would not drive the people mad, as it did at present. Before concluding he wished it to be distinctly understood that he did not rise for the purpose of asking any favour of the Government; neither did he rise to ask for any undue protection for any branch of trade in his country. If trade in his country was not able to exist without going back to the days of "protection," then let it perish; but he asked the House to extend to a branch of trade in Ireland—a trade in which millions of capital was sunk—that protection which they would give to a pinmaker in England—that was, to protect them from fraud and misrepresentation. He would now conclude by moving that a Select Committee be appointed for the purpose of inquiring into the practice, and to report to the House whether the practice should continue or not.

CAPTAIN NOLAN seconded the Motion.

Motion made, and Question proposed,

"That a Select Committee be appointed to inquire into the practice which has been permitted of late years of mixing Whiskey in Her Majesty's Bonding and Inland Revenue Stores with other spirits; to report to this House whether the practice is injurious to the public and to the manufacturers of Irish Whiskey, and whether, in the opinion of the Committee, the practice ought or ought not to be discontinued; and that the Committee do also inquire into the effect of using new made spirits, and to report whether it would be in the interest of the public for the Government to detain all spirits and Whiskey in Bond until it is at least twelve months old."—(*Mr. O'Sullivan.*)

MR. ANDERSON, in rising to move, as an Amendment,—

"That, in the opinion of this House, the practice of 'blending' Whiskey does not necessarily cause adulteration; and it is inexpedient to deprive traders in British spirits of trade facilities that are allowed to traders in Foreign spirits, wines, and various other bonded articles,"

said, that this was not the first time the House had heard of this great Irish grievance, but no one had as yet taken the trouble to explode the hon. Gentleman's fallacies; but, if fallacies were reiterated without being contradicted, some one at last was found to believe in them. The truth of the matter was that some of the Irish distillers found their trade shifting away. They were unable to charge the extravagant prices they used to obtain, because another spirit was now made by a different process—a purer and better spirit—which was sold at a considerably lower price; and because these Irish distillers were unable to keep up the price of their spirit, they wanted the Chancellor of the Exchequer to come to their help and assist in keeping up the price for them. Irish whiskey had been praised very highly by the hon. Member, and called the very best whiskey in the world; but he had said very little against the silent spirit mixed with it, and in all the analyses he had laid before the House there was no mention made to-day of the pernicious ingredients mixed with the Irish spirit, which on a former occasion the hon. Member said he had felt as if it were a torchlight procession going down his throat. Every stranger who visited Ireland knew what Irish whiskey was. It was the most dangerous stuff in the world for a stranger to touch. No one but a native could drink it with impunity. It was full of headaches to the brim. He believed a man required to be weaned upon it in order to get acclimatized to its use. The coats of the stomach then became indurated—tanned as it were—in time, and it was impossible to get used to it without going through a process of that kind. Irish whiskey had a peculiar flavour, as every one knew, and this depended on the great quantity of fusel oil in it. Every one knew that this fusel oil was a rank poison; and it was that which, while it gave the beverage a peculiar flavour, made it so deleterious to those who were not accustomed to it. Well, the process of mixing the Irish spirit with the Scotch spirit took place in private, and not in Government stores, and was effected by warehousemen and owners. There were Government officers appointed to watch them, it was true, but nevertheless the mixing complained of was really done in stores which were private property. The whole process was that perfectly pure spirit distilled from good grain—not from products such as those mentioned in the article in *The Times*, which had been referred to—namely, unsound barley, beet-root, and potatoes—was used in the admixture. Some one had spoken of "vitriolic" Scotch whiskey, but none of these articles were used in the manufacture of silent spirit. If it were distilled from inferior articles and were bad spirit, it would cease to be "silent"—that was, free from all flavour, and having no noxious qualities whatever. It should be remembered that silent spirit was not sent to Ireland by the Scotch—it was brought from Scotland by the Irish, and used by them to improve the native spirit—[*a laugh*]—well, to make it less poisonous—to dilute the fusel oil, and thus to improve the whiskey. It was only by diluting the fusel oil that the Irish spirit was improved, and it was to do that the Scotch spirit was taken over to Ireland. The hon. Member (Mr. O'Sullivan) had admitted that the Scotch malt whiskey was the best whiskey which was made in the world. There was little room for doubt as to that; but there was little, very little, malt whiskey made in Ireland. A little, he thought, was made at Coleraine, but nearly all other Irish whiskey was made from raw grain, with only 15 or 20 per cent of malt to help the distillation. There was a great deal of raw-grain whiskey and very little malt, and it was made in the "pot-still," which was the still mostly used in Ireland. But in Scotland, the silent spirit of which the hon. Member complained, was made with a patent still, which produced whiskey purer, easier, and cheaper. The hon. Gentleman had spoken of whiskey being taken over to Ireland to mix with Irish whiskey for fraudulent purposes. He had failed to make out his case, however, for the people who bought the whiskey from the great dealers in Scotland were quite as good judges as the hon. Member himself, and if it were bad was it likely that they would buy it? The real fact was that they bought it because they got a better whiskey at a lower price. The hon. Member, in short, wanted the Chancellor of the Exchequer to help the Irish distillers to keep up the price of whiskey; whereas the Irish dealers were entirely opposed to such a course being adopted. They were teaching the Irish people by degrees to use a more innocent spirit than they had been accustomed to. The hon. Member had referred to certain things he (Mr. Anderson) had said with reference to the duty of the Government to collect the Revenue. He had somewhat overstated the remarks he had alluded to; but there could be no doubt that the duty of the Revenue Department of the Government was mainly to collect the Revenue. It certainly was not to guarantee any one's brand of anything. It was true that the system had worked well in the case of the Scotch herring fisheries; but it was, nevertheless, a bad system, and was opposed to the principles of political economy. The hon. Member had changed his demand since last year. Last Session when the Irish distillers went to the Chancellor of the Exchequer they asked that he should give orders that every "permit" with reference to mixed spirit should have a red cross put on it to condemn it in the eyes of the trade. Now the word "blended" had been adopted, and was to be stamped on the casks containing the mixed spirit. Irish distillers in Ireland were making use of the word by issuing advertisements, asking all customers to look at every cask they bought, in order to see that the word "blended" should not be marked upon it. That was ordered to be put on the casks years ago, when there was a differential drawback on the waste of spirits. That had ceased now, however, so that there was no occasion for the casks to branded, and he (Mr. Anderson) intended to ask the Chancellor of the Exchequer to repeal the clause of the Act in question. At a former time there had been a differential duty between malt whiskey and corn whiskey; and, at that time, it was necessary that the permits should be different for the two, and the Chancellor of the Exchequer was obliged to draw a distinction; but as soon as that ceased, all branding and distinction of permit became unnecessary. When the Irish distillers asked to have a brand or a red cross put on blended spirits, it was clear how they would have got the better of the Chancellor of the Exchequer if he had listened to them. There was nothing to prevent Irish distillers from having both kinds of still, the pot-still and the patent-still, and some of them had the two, and they could make the two kinds of spirits, blend them in the same vat, and pass them through the Chancellor of the Exchequer's hands without the red cross. That would be the very whiskey the Irish dealers manufactured by mixing the Scotch with the Irish whiskey. Such a mixture by the distillers could not be supervised as it was when the spirit was mixed in bond. Methylated spirit could not, as was alleged, be put with it while it was under supervision of the Excise. It was after it left bond that it was injuriously adulterated; and it was in the retail trade that those articles were mixed with the spirit that caused the deaths and the filling of the lunatic asylums, and all the evils which had been referred to. Another charge by the hon. Member was that Scotch silent spirit was taken over to Ireland, stored there, and was sent back with an Irish "permit," and was sold as Irish. Well, what did that prove? Why that one was as good as the other, and that the Scotch whiskey, even unmixed with Irish, could be sold as such. For his part, he protested against the Chancellor of the Exchequer doing anything to assist Irish distillers in their trade. He had no objection whatever to the Chancellor of the Exchequer putting an end to all kinds of mixing and tampering with articles in bond—the fortifying of wine, the mixing of tea, and the manufacture of tobacco. But as those things were amongst the facilities of trade, no doubt, if the Chancellor of the Exchequer attempted to stop them there would be a great outcry against it. However, he did not care though all were stopped, but until Government were prepared to stop them all, he objected to stopping one of them, and particularly to preventing the blending of home spirits, while foreign spirits were freely mixed in bond all over the country. A great trade had grown up within the last few years in the blending of home spirits. In one Irish port alone — Belfast, he believed — it reached 5,000,000 to 6,000,000 gallons per annum—a trade which did not exist before the year 1860, and that immense trade would be interfered with, if it were not altogether stopped, if the course proposed by the hon. Member were adopted. The hon. Gentleman concluded by moving his Amendment.

Mr. M'LAGAN seconded the Motion.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the practice of 'blending' Whiskey does not necessarily cause adulteration, and it is inexpedient to deprive traders in British spirits of trade facilities that are allowed to traders in Foreign spirits, wines, and various other bonded articles," — (*Mr. Anderson,*)

—instead thereof.

Sir WILFRID LAWSON said, the hon. Member for Limerick had given the definition of a patriot in his speech. He said that a patriot was a man who did not make speeches upon platforms, but who looked to the trade of the country. He (Sir Wilfrid Lawson) did not think that definition was full enough. What the hon. Gentleman meant by a patriot was a man who looked after the whiskey trade. He did not altogether dissent from the Motion in the shape in which the hon. Gentleman had put it, with the addition that spirits should be kept 12 months in the bonded warehouses. He wished they could be kept there altogether. If the hon. Gentleman had said 12 years instead of 12 months it would be all the better. He had a very few words only to say in reference to the Motion, as he could not say he felt personally qualified from practical experience to take part in the discussion. A grievance probably existed, as he had always heard from gentlemen who understood those subjects better than he did that it was a bad thing to mix your liquors. Still, he regretted that after the little conversation held last year upon the question the Chancellor of the

Exchequer and the hon. Member for Limerick, when they had their private interview, did not get the matter settled, because in that case they would all be spared the present debate. Now, however, that the floodgates of talk had been opened he felt pretty sure—as every Irish Member took a warm interest in the subject—that they would have a prolonged discussion. They were asked for a Committee to report whether the practice to which the hon. Member objected was injurious to the public. It was absurd to suppose that the Motion of the hon. Member for Limerick was intended solely for the good of the public. The object of the Motion was to procure the appointment of a Committee, whose Report might possibly show that the practice of blending whiskey was injurious to the manufacturers of Irish whiskey, and ought, therefore, to be put a stop to, in the interest, not of those who consumed, but of those who were distillers of whiskey. It had been shown by the Report of a Commission issued in the summer of 1875 that much of the whiskey distilled in Scotland was very well adapted for mixing with other varieties of the spirit, and that in combination with Irish whiskey it made a more palatable drink than Irish whiskey alone. The Report to which he was alluding went on to state that there was no foundation for the allegation that Scotch whiskey of the kind objected to by the hon. Member for Limerick was deleterious. The Inland Revenue Commissioners, in a Report to the Lords Commissioners of the Treasury dated May 25, 1875, stated as follows:—

> "As a matter of fact, we believe that there is a considerable amount of blending of Scotch with Irish spirits. Certain Scotch distillers make a very pure, colourless, and flavourless spirit, technically termed 'silent spirit,' which for those very qualities is well adapted for mixing with other spirituous liquors. We must presume that the mixture of this with Irish spirits makes a palatable compound, otherwise it would certainly not be the interest of the dealers in spirits to encourage it. The allegation which has sometimes been made that it is deleterious is quite unfounded; indeed, it is the very opposite of the fact, it being notorious that the Irish whiskey owes a great part of its peculiar flavour to the fusel oil which it contains, and from which impurity the Scotch silent spirit is nearly free. Such being the facts, the question is whether the Dublin distillers have any right to call for our interference with the natural course of the spirit dealers' trade, for purposes entirely unconnected with the interests of the revenue."

That was quite sufficient ground for the Chancellor of the Exchequer voting against the proposed Committee. It was all very well for the hon. Member to talk about good and bad whiskey. It would be interesting to know his opinion as to whether society was not as much harmed by the consumption of what he would describe as good whiskey as it was by an indulgence in the spirit which he would describe as bad in quality. ["No, no!"] He knew somebody would say "No," so he had fortified himself with Irish authorities. He would venture to ask the attention of the House to some remarks which were made in the House last year in reference to this subject by an hon. and gallant Member who might be taken as a high authority on questions of the kind. ["Name."] He would give the speaker's name as soon as he had read a passage from his speech on the Irish Sunday Closing Bill of last year. The hon. and gallant Member said—

> "If we had an old Irish Brehon sage here how would he proceed? He would approach the question somewhat in this fashion. He would say—'This whiskey is the destruction of my people; it ruins their health. It deprives them of their reason. It lowers them in the scale of creation even lower than brutes in the field. . . . Let it never appear in our sacred island again. Go, my officers, to the bonding warehouses, drag out the puncheons, the pipes, and the hogsheads of this poison; swill the streets of my cities with it; and as the very dogs lap it up and fall prostrate under its influence, let Irishmen learn what a foreign nation has provided for their destruction.' "—[3 *Hansard*, ccxxiv. 115.]

That was the speech of the hon. and gallant Member for Waterford (Major O'Gorman). Could there be a better authority? Perhaps they might think there might be a better authority. He (Sir Wilfrid Lawson) would give them that of a Judge, a man whom they used to hear with the greatest interest and delight in that House (Baron Dowse), who, in describing the effects of this good whiskey that the hon. Member for Limerick was so much enamoured of, and how drunkenness was increasing, said—

> "It might be that that was owing to increased vigilance on the part of the police, or the increased vigilance on the part of the drinker, and his own opinion was that it was the latter."

The learned Baronet went on to say that some people blamed the fusel oil in the whiskey; but he was of opinion that it was the quantity consumed, and not the fusel oil that caused the drunkenness. If it were the best of Irish whiskey made in Dublin, he (Sir Wilfrid Lawson) was afraid it would not be a good reform to increase the consumption anywhere. He remembered last year there was an election in Ireland, and a correspondent of a newspaper, writing about the election, said he was very much puzzled at first by the remarks which were always made when any rioting, and any window breaking was going on—"Oh, it was all John Jamieson." He thought John Jamieson was a very influential elector; but on making inquiries he found that it was the great distiller who was spoken of with all the affection which came by drinking his famous whiskey. It was the good whiskey—the Jamieson—the O'Sullivan whiskey—which produced all the riots in the town. Talk about their good whiskey; what did they mean by good whiskey? Whiskey that would make them drunk in the shortest possible time? The hon. Member turned round upon the hon. Member for Glasgow, and he (Sir Wilfrid Lawson) thought there was going to be an international combat; and he charged the hon. Member for Glasgow with disregarding the lives, the health, and the security of the people of Ireland, because he supported the bad whiskey; but it was the good whiskey in Ireland that could be proved to produce all those evils. What did the right hon. Gentleman the Member for Birmingham (Mr. Bright) say? He did not say the people were improved by drinking bad whiskey; but he said that those who dealt in intoxicating liquors were the cause of the crime, the disorder, and even the madness of the country; and those were the people who sent Members of Parliament to that House. One word about the adulteration. It was said that the adulterated drink did all the evil. He should like to have more evidence of that. It was his business to pry into that evidence, and he believed he could say that of all the articles adulterated there was nothing so little adulterated as strong drink, which would be a great deal better if adulterated by pure water. It was all nonsense this talk about the drink being adulterated. He remembered a gentleman talking about adulteration, and he said—"Why, it has got to that pitch now that a man gets drugged before he can get drunk." The truth was that people drank this stuff because it made them drunk. The hon. Gentleman had moved for a Select Committee on this subject; but he (Sir Wilfrid Lawson) thought that the country was overburdened with Select Committees and Commissions. The country was completely overdosed with them, for they were appointed on every subject—from fugitive slaves down to oysters. He found that there were about 200 Members of that House appointed to serve on Select Committees. Some of these, no doubt, were duplicates; but it seemed to him that, after having selected such a number of first-rate men, there would hardly be a sufficient supply of them out of the other, 400. He protested against the time of that House being wasted and taken up by a question of this kind. In the first place, he said that the matter was too small a one for an inquiry by a Select Committee; and, secondly, because no case at all had been made out as to the injury caused to the public; and, thirdly, they would offend the Home Rulers if they took this grievance away from them; and, in the fourth place, if they got a Committee to report that there was much difference between the evil effects of Irish and Scotch whiskey it would be propagating a dangerous delusion, because there was no trade doing more harm than this whiskey trade, whether the spirit was made in England, Scotland, or Ireland.

Mr. M. BROOKS denied that this was a distillers' question, for the Association of Distillers in Dublin had individually and collectively refrained from taking any part in the agitation on the subject. They were quite content to rest upon the reputation their own whiskies possessed in the market, and upon their own trade marks, without asking for the assistance of that House; but the silent or blended spirit referred to by the hon. Member for Glasgow (Mr. Anderson) was produced from such inferior materials—such as damaged grain, rice, potatoes, molasses, and similar rubbish—that it was necessary real Irish whiskey should in some way be distinguished from such a villanous compound. The true Irish whiskey was distilled from pure malt and water only; in fact, from materials which had made the Burton breweries so famous all over the world. It was, therefore, not right to say that real Irish whiskey was an unwholesome or injurious spirit. What was complained of was, that an article under that name was thrown into the market, which traded upon the reputation of those who made good and wholesome spirits, and, being vended for what it was not, interfered with the sale of the article it counterfeited. In fact, the process was to send to Ireland spirits of wine, tasteless in itself, distilled from damaged Indian corn, coarse sugar, and raw grain, in order that it might be coloured, flavoured, and sent back to England, as Irish whiskey. It was well known that the Government had for many years exercised a close supervision—and a very wholesome supervision—over the sale and mixing of tobacco, coffee, mustard, &c., &c. What the hon. Member for Limerick wished to secure by his Motion was, that such a supervision should also be exercised over the dealings in Irish whiskey, that those who wished to use it might be sure they were obtaining a pure, and not an impure article. The Government did exercise that supervision with respect to many other articles of common consumption, and there was no reason why it should not also be exercised in this case.

Sir PATRICK O'BRIEN did not imagine that this could be regarded as a national grievance, but it certainly was considered in Ireland as a Departmental grievance. Irish Members did not ask the Government to guarantee the whiskey of any Irish distiller; but they did object to the present arrangement, which under *quasi*-Government sanction, sent out of as bonded, and therefore he might, for his purpose, term, it a Government store an inferior mixed spirit under the denomination of Irish whiskey. During the discussions which had taken place in that House some 18 or 20 years past regarding wasteage in bond, he had acquired some knowledge, which he thought, bore upon the question then under consideration. There were both in Ireland and in Scotland two descriptions of stills in use—one which was called in Ireland the Patent Still, or Coffey's Still, produced only a perfectly neutral spirit, without any flavour, and which could therefore be used for rectifying purposes, to make brandy, gin, cordials, &c. This spirit when it attained to 60 degrees of strength over proof, was the "spirits of wine," of commerce. This "silent whiskey," to use another of its designations, contained no fusel oil, and in consequence of the economy as regarded fuel in using Coffey's Still, distillers could afford to sell whiskey thus made, at the least, 6*d.* a-gallon less than whiskey made by the ordinary "Pot Still;" but hon. Members should know that the best whiskey, both in Scotland and in Ireland, was always made in "Pot" stills as distinguished from "Coffey's" or Patent Stills, and all whiskey so made of necessity contained fusel oil, which was what imparted the flavour to the whiskey. Without some amount of fusel oil the whiskey would be like Coffey's still whiskey—mere neutral spirit, or spirits of wine, as it was popularly termed. It was plain then that to allow persons to blend this neutral spirit with Irish whiskey, it did not matter in what proportion, and in a bonded Government store, and then to sell it afterwards as Irish whiskey, was unfair to the Irish trader. Let the "blenders" mix their whiskey outside the bonded warehouse, and the Irish trader would have no cause for complaint.

Colonel BERESFORD said, he thought the subject was by no means so trivial as the hon. Member for Carlisle (Sir Wilfrid Lawson) seemed to imagine. A recent case tried before a Judge in Ireland, and which resulted in a verdict for the defendant, against whom the vendors of a cask of this spirit brought an action to recover the value, showed that silent whiskey actually maddened those who drank it; and, in his opinion, the Government ought not to sanction the mixing of so villanous a compound. They had last year passed the "Sale of Food and Drugs Bill," for the prevention of the deleterious admixture of articles, and he did not see why the adulteration of spirits in Ireland should not be made illegal also.

Sir ROBERT ANSTRUTHER said, he should not have ventured to intrude himself into the whiskey war, because it really was a very dangerous matter, but for the omissions in the speech of his hon. Friend the Member for Carlisle. He made certain that, when the hon. Baronet got upon his legs, that his country was going to be defended, because the hon. Baronet sat for Carlisle, which was close on the Borders, and he must be acquainted with the virtues of Scotch whiskey. Yet he did not say one single word in defence of the Scotch distillers, or of the Scotch national beverage; and he (Sir Robert Anstruther) thought that he had a very great grievance against the hon. Baronet. This was a very serious matter, and the most vital interests were at stake. The Scotch distillers were accused of spreading madness, lunacy, disease, and every other possible form of evil into the Sister Isle; and the idea of an Irishman ever having been drunk at a wake, or a fair, or an election, until the Scotch silent spirit was introduced was, it appeared, the most monstrous fiction ever heard of. The House was told that an Irishman might drink a gallon of his own whiskey without any serious inconvenience, but for the fact of the introduction of this Scotch silent spirit. So far from that being the case, he believed that the real source of the complaint was that the Scotch whiskey was not strong enough. He remembered a story told by the late Dr. Norman M'Leod, of Glasgow, of a Highlander who visited Glasgow, and there partook of the Lowland whiskey, which was so weak that he said—"It's just a taste in your mou', and then its awa'; but a Hieland dram gangs down whumblin', and up and doon your wame a' the day, and as a kind o' a friend tae ye." If these monstrous iniquities were to be perpetuated, and if Scotland was to continue to send this silent spirit, he could only say that the days of the Union must be short indeed. There was no compulsion on people to buy blended whiskey if they did not like it, and they should surely be at liberty to buy what they liked. The fact was the Irish manufacturers simply used the hon. Member who brought forward this Motion as an advertising board for their own wares. It was admitted that Scotch spirit was silent—that was, harmless. It was admitted that blending had become a work of art or science, and it was simply because the Dublin manufacturers could not undersell those who had made a study of blending that they now came to the Chancellor of the Exchequer and asked him to interfere. If there were no other reasons for not appointing the Committee, he ventured to mention one which he thought would be sufficient. If the Members of the Committee were expected to taste all the different kinds of whiskey, together with the fusel oil and other abominations that had been stated to exist, let them try to conceive the state in which these 21 Gentlemen would be. Why, there would not be one of them but would have *delirium tremens;* and, for his own part, he implored the hon. Member not to ask him to serve on the Committee, because he feared his health, as well as that of all the other Members, would be permanently injured. The real truth of the matter was that this was merely an attempt to get an inconvenient competition out of the way, and he therefore hoped the Chancellor of the Exchequer would oppose the Motion.

DR. WARD said, that if there was so little difference between the Irish and Scotch whiskies, it was remarkable that the Scotch Members should be so anxious to oppose this Motion. He admitted there was no compulsion on the Irish people to drink this whiskey; but there was compulsion on the Irish retailers to sell it. Referring to the remarks of the hon. Baronet (Sir Wilfrid Lawson), he admitted it would be a good thing if he could induce everybody to give up drinking; but the best answer to his arguments was that the people had not given it up, and were not likely to do so, and so long as the people drank whiskey, the Government were bound to protect them from ruinously adulterated supplies of that article. When Irish Members said that the article was bad and the Scotch Members that it was good, who could decide but a Committee? Adulterated whiskey produced more drunkenness than unadulterated whiskey, because it destroyed more quickly the power of nervous resistance in the individual; though the hon. Member for Carlisle did not seem to agree in this. [SIR WILFRID LAWSON: I referred to whiskey adulterated with water.] He (Dr. Ward) did not deny that alcohol produced immense mischief, but it was not necessarily a poison. There was not a particle of grain food that did not contain a considerable portion of stimulant, and the making of whiskey, beer, and wine was nothing but taking this form of food and cooking it. He called upon the Chancellor of the Exchequer to remember this—that if he drove out of Ireland by the present system a fair and honest article, all the bad articles that would be imported would do harm to the Exchequer.

MR. SULLIVAN said, he hoped to be allowed to speak a few sentences in order that he might not continue to suffer great personal injury. He seemed to be considered by the country as having been "blended" with the hon. Member for Limerick (Mr. O'Sullivan). He received from day to day letters asking him to consider this matter; and he was looked forward to as the saviour of the country; whilst he believed that the hon. Member for Limerick was often favoured as though he were a member of the United Kingdom Alliance. He was, therefore, anxious to have it understood that he was not the Member for Limerick, and that his hon. Friend was not the Member for Louth. He hoped the question would be divested of the national element which had been thrown into it by the exuberance of the hon. Member who had just spoken. He should vote with his hon. Friend because as between the battle of the poisons, he thought the Chancellor of the Exchequer had no right to intervene for the protection of what was euphemistically called blending. Not, however, that he believed these fanciful stories about the evils of Ireland being attributable to what was called "honest" whiskey not being drunk, for before the Patent Still was patented there drunkenness, madness, gaols, and lunatic asylums existed in Ireland. If they believed some people, they would think that the more a person drank of this honest Irish whiskey the soberer he would go home in the morning, whilst if a man were seen reeling along the street, a licensed victualler would say—"Ah, he has not been drinking honest whiskey; he has been fusel-oiling himself; or he has been drinking at some low beer-shop." Although it was not a national Irish question, he thought that it was one that invited inquiry. Yet, notwithstanding all this, he was of opinion that whether it were Irish whiskey or Scotch whiskey the whole system was pernicious to society. The hon. Member for Limerick said that it was not so bad if taken in moderation. That was the excuse for all whiskey-drinking—"it was always excellent if only taken in moderation." That was the slang of the whiskey-trade —yes, of all who admired the alcoholic business; all such drinks were good—provided that you did not take too much.

MR. DUNBAR also supported the Motion. What the Irish distillers complained of was that the Government should give facilities for this blending and the mixture of deleterious stuff. If Scotch whiskey was better than Irish whiskey, let it drive Irish whiskey out of the market, if it could; but let each stand on its own merits, and each have fair play.

THE CHANCELLOR OF THE EXCHEQUER said, that this question had been for a considerable time under his notice; he had had a good deal of correspondence and conference upon it; and he had also the advantage of having the opinions of the Board of Customs and Inland Revenue upon the subject. He had listened with great attention to the discussion upon the proposal of the hon. Member, and he was bound to say that it had not brought out any new facts or arguments, and he saw no reason for departing from the conclusion at which the Government had already arrived. The object which the Government and the Board of Inland Revenue had in dealing with a matter of this kind was simply the protection of the Revenue. As far as possible they desired to collect the Revenue for Imperial purposes without in any way embarrassing the operations of trade. If the Government simply had to look to the convenience of the collectors of the Revenue, they should desire that no operation should take place with the spirits when once they were placed under the charge of Government officers, and they would be only too glad to adopt the simplest possible principle. But with regard not only to whiskey, but to other articles, they were met by this consideration—that those who were interested in dealing with them—namely, the manufacturers themselves, said to the Government that measures for the protection of the Revenue "not only impose upon us an inconvenient burden in the shape of a certain amount of duty, which is necessary, but they impose upon us restrictions in the natural operation of our trade, which are necessary." They said that if there were no duty they would be at perfect liberty to mix articles with other articles, whether it were tea, or wine, or spirits, so that they might command the market for which the thing was intended. Whether the mixture of whiskies was done for the purpose of improving the quality of the spirits or for reducing its cost was a question with which the Government had nothing whatever to do. If it were not for fiscal regulations the manufacturer would be enabled to choose his own course. An hon. Member had spoken of the practice permitted of late years of mixing the whiskey in Her Majesty's bonded stores, and it had been noticed that it was a practice which had prevailed since 1860. That was perfectly true, but the reason was obvious. Before that time the duty upon spirits in different parts of the United Kingdom was different, and it would have been exceedingly inconvenient, and indeed dangerous, to the Revenue to allow spirits paying different rates of duty to be mixed together. Therefore, for fiscal reasons, this was prohibited; but when the spirit duty for different parts of the United Kingdom was equalized, the fiscal reason came to an end, and then the Revenue officers, not desiring to interfere unnecessarily with the operations of trade, said to the manufacturers—"So long as you do not prejudice the interests of the Revenue, do what you please in the way of manufacturing the article." What were called the bonded stores of the Government were really the premises of the manufacturers themselves; they carried on the manufacture in their own premises, but these premises, for the purpose of protecting the Revenue, were placed under the Government lock and key, so that the manufacturer could not conduct his own business without the supervision of the Government officer to see that the Revenue did not suffer. If a man could, without having the Government lock upon his premises, blend his spirits, why should the Government interfere, unless there was some fiscal reason for it? As a matter of fact, they did interfere to some extent in the direction required by the hon. Member (Mr. O'Sullivan); because when spirits which were under the Government lock and key were blended, they required that the word "blended," or a mark showing that the spirit had been blended, should be placed upon the cask. Undoubtedly, this was in the first instance adopted for fiscal reasons; but it was still continued, and the mark warned the wholesale dealer who purchased the cask that it did not contain spirit which was simply the produce of one distillery, but spirit from different distilleries which had been mixed together. If this blending were not allowed in bond, the purchaser could afterwards blend spirits, and there would be no possible way of interfering. He was told there were many cases in which spirits mischievously adulterated were sold by retailers; but he believed that adulteration was effected, not in the Government stores, but in the hands of the retailers themselves. The principle on which the Government acted was to abstain from interfering with the operations of trade, and from attempting to give a character to articles which had been in their hands for a particular purpose. It was said that a character was really given, for the effect of their having passed through Government hands caused them to be advertized as having come straight from the Government bonded warehouse. There was a parallel instance of this in a different matter. It was said, some time ago, that insurance companies doing business among the poor tendered to them policies bearing the Government stamp; and it was therefore conceived that the company was under the sanction of or patronised by the Government. There was just as much connection between the Government stamp upon policies of insurance and the sanction which was supposed to be given by the Government in reference to the spirits which had passed through their hands in order that duty might be raised upon it. The Government would follow a false policy if they were to adopt the suggestion of the hon. Member. He had considered the matter carefully, and he had no desire at all to take a prejudiced view of it; but, on the contrary, he had gone into it with the view of meeting the wishes of the Irish distillers. He repeated the Government would not be doing their duty if they assented to the proposal. Feeling as he did that they ought not to encourage false ideas, and that the time of the House ought not to be occupied with inquiries which they did not expect would have a good result, he should depend upon the House to reject the Motion.

Sir JOSEPH M'KENNA said, he thought the object of the Mover of the Resolution could be obtained if, instead of the mark "blended" being perfectly undecipherable, the casks were painted red or blue, showing that the article was not what it *primâ facie* purported to be. They were told by the hon. Member for Glasgow that Scotch whiskey was as good as the Irish, if not better. If that were the case, why did they not take the Irish whiskey to Scotland, and let it be blended with the Scotch whiskey in bond there, and then come across the Border direct as Scotch whiskey? If the Government would undertake that the brand of blending should be so complete that those who ran might read, he had no objection whatever to urge against the practice of blending in bond. But if the practice of blending in bond was used, as upon good authority they were told it was, for the purpose of palming off an article called Irish whiskey which was not Irish whiskey, he thought it was the duty of the Government to counteract that practice in every way possible.

MR. PARNELL said, there were two questions which might fairly be asked in this debate—first, why Government permitted the blending of Irish whiskies in their bonded stores; and second, why Scotch whiskies were brought over to Ireland and blended? He was sorry to find that the Chancellor of the Exchequer had no satisfactory reply to give to the first question. It appeared to him (Mr. Parnell) that the right hon. Gentleman took a narrow and restricted view of his duty when he said it was only the province of the Revenue Department to look after the Revenue. But when they found, as had been proved that evening, that the authority of the Chancellor of the Exchequer was used to adulterate and disseminate a poisonous liquid amongst the people of Ireland, they must admit that the functions of the Chancellor of the Exchequer and of the Revenue Department were used to very bad purpose. Then as to the second question, the hon. Member for Glasgow (Mr. Anderson) appeared to put it on this basis—that according to the principle of free trade whiskey or other goods might be sent to any part of the United Kingdom, and that therefore there was no reason why Scotch whiskey should not be sent to Ireland and sold there. No doubt there was no good reason why it should not be sent to Ireland and sold there; but there was great reason why it should not be sent to Ireland and mixed with and sold as Irish whiskey, and brought into competition with Irish whiskey. What they complained of was that this inferior and poisonous Scotch silent spirit was brought over to Ireland, mixed with Irish whiskey, and was then taken to all parts of the world, and back again to Scotland, and sold as Irish whiskey. The issue before the House was a very plain one. He did not complain of Scotch whiskey going over to Ireland; but he complained that Government sanction and protection was extended to Scotch silent spirit, which, at the price of 2*s.* per gallon, was used to destroy Irish whiskey, and not only the whiskey itself but the people who drank it. He believed that as much would be done to prevent drunkenness and crime in Ireland by improving the quality of the whiskey as by the Sunday Closing Bill, for which he intended to vote. He asked the House to look at this question dispassionately. If the regulations of the Government were such as to render it necessary that good Irish whiskey should be mixed with the wretched Scotch stuff, and that the Irish people should be poisoned by it, then he thought that every Irishman, whatever might be his politics, would admit that the sooner they had their own Customs House under the control of an Irish Parliament, and their own Irish Chancellor of the Exchequer, the better.

SIR WILLIAM CUNINGHAME, who had an Amendment on the Paper to the effect that "the blending or mixing pure malt whiskies be not in any way interfered with," remarked that this question had been debated as if it were a question between Ireland and Scotland. It was so, no doubt, to a certain extent; but it was much more a question between Irishmen and Irishmen. If bad Scotch whiskey was prevented from being mixed with Irish, bad Irish would be used instead. As far as his inquiries would enable him to form an opinion there was very little good whiskey distilled in Ireland at all. There were only four distillers in Ireland who distilled from malt. This was a question between them and all other distillers, Irish as well as Scotch. He objected to the proposal of the hon. Member for Limerick, because if it were assented to it would prevent any blending or mixing of whiskey of any description. There was a large *bonâ fide* trade carried on in mixing the highest class of whiskies to improve their flavour, and it could not be doubted by anyone who knew what whiskey was that a good blend was very much superior to the best whiskey by itself, whether Scotch or Irish. He did not wish to have this judicious, proper, and beneficial mixture of the best high class whiskies in bond interfered with for the sake of four Dublin distillers. If interference with blending of high class pure malt spirits could be avoided, he would be inclined to go with the hon. Member for Limerick in wishing to see articles sold as far as possible under their own name.

Mr. CALLAN said, that the hon. Baronet (Sir William Cuninghame) was as ignorant as to Irish whiskey as was the hon. Member for Glasgow (Mr. Anderson). He (Mr. Callan) protested against the assumption that no really good whiskey was made in Ireland. The name of Jamieson was as well known in England as it was in Ireland. Near Belfast, which was the principal city in which this fraudulent blending was carried on, the Coleraine distillery was exceedingly well-known for its whiskies. What he rose for was to suggest to the Chancellor of the Exchequer that every permit for blended whiskey should have on the face of it some distinct mark, so that it could be distinguished at once by the person ordering the whiskey. The Government should not be silent parties to the perpetration of a fraud on the English dealers; and if what he suggested were adopted, it would partly meet the object of the hon. Member for Limerick.

Mr. GREENE said, a debate of this sort was nothing more than the advertising of the wares of certain manufacturers, and there should be a charge for such a debate, in order that the Revenue might get benefit from it.

Mr. O'SULLIVAN denied that his Motion if agreed to would have the effect of restricting trade. The Chancellor of the Exchequer talked about fortified wines, but he did not see what that had to do with whiskey. Wines must be fortified in bond to keep them. He denied that he stood up in the interest of any distiller. He stood up in the interests of the public, and considered it a shame that any Government should sanction a fraud on the public as it was practised in the Custom House. The large trader was able to protect himself. It was the small trader and consumer who wanted protection. If the Government would mark the permit so that the buyer would know what he was getting he (Mr. O'Sullivan) would withdraw his Motion, or otherwise he should go to a division.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided*:—Ayes 69; Noes 145: Majority 76.

Question proposed,

"That the words 'in the opinion of this House, the practice of 'blending' Whiskey does not necessarily cause adulteration, and it is inexpedient to deprive traders in British spirits of trade facilities that are allowed to traders in Foreign spirits, wines, and various other bonded articles,' be added, instead thereof."

Amendment, by leave, *withdrawn*.

SLAVE TRADE (EAST AFRICA).

RESOLUTION.

Sir JOHN KENNAWAY rose to call attention to the great development of the traffic in Slaves, by land, within the dominions of the Sultan of Zanzibar, since the conclusion of the Treaty of 1873, as also to the want of systematic provision for the slaves liberated by Her Majesty's cruisers, and to move—

"That, in the opinion of this House, it is desirable that Her Majesty's Government should invite and assist the Sultan of Zanzibar to take such further steps as may be necessary for the total suppression of the Slave Trade within his dominions, and that at the same time more adequate provision should be made for the care and maintenance of the liberated slaves."

The traffic had been put down by sea, but there had been an increased traffic by land, and unless stringent measures were taken to put a stop to it the good we had already effected would be undone. The slave traffic was still going on, and the poor wretches, who were marched in chained gangs across the country, suffered great cruelty. Within the last few months some captures had been made by our cruisers, and the question of disposing of those liberated slaves now arose. We had to deal with 500 slaves a-year captured by our ships of war. These were carried to Aden and to Bombay, at a cost of about £3,000 a-year. Since the Treaty with the Sultan of Zanzibar numbers of them had been sent to Natal, where they were well treated; 250 had been sent to the foreign mission at Bagamayo, and some others to the establishment of the Church Missionary Society at Mombas. The fact remained that Her Majesty's Government had taken no practical steps to relieve philanthropic societies from the expense of taking care of the old, sick, and infirm persons thus liberated and placed under their charge. The country, he contended, had made itself responsible for the good treatment of the slaves whom they liberated. In old times large numbers of slaves were captured on the West Coast of Africa by our cruisers, and by the Act of 1824 persons were appointed to receive and provide for the slaves thus liberated. By the Act of 1873 it was provided that the liberated slaves were to be handed over to such persons as the Consuls might select, subject to the regulations of the Treasury; but as far as he could learn the Treasury had not made any regulations, and nothing had been done to relieve the philanthropic societies of the burdens which had been thrown on them. The question then arose, What further steps ought to be taken in the matter? He did not think the Government would find any great difficulty in dealing with the land traffic, which it was most desirable to suppress, because of the horrible cruelties which it entailed on the wretched slaves. Admiral Cumming, writing in July last, said he saw no difficulty in stopping the land traffic, but that a further Treaty might be necessary with the Sultan, and that he should be provided with a few soldiers to stop the caravans of the slave dealers. Commander Foot suggested that a raid might be made from the ships for the same purpose. Sir Leopold Heath was also of opinion that something should be done to stop the caravans, and Dr. Kirk thought that it would be expedient for the British Government to establish a free settlement on the coast. Sir Bartle Frere also considered that an establishment under the protection of the British flag was the best arrangement that could be made for the permanent improvement and civilization of East Africa. He believed the time had arrived when they should call on the Government to form such an establishment. He was certain that the carrying out of such a policy would not involve us in diplomatic troubles, nor had we anything to fear from it such as the war in Abyssinia. Were the Government to take courage and establish such a settlement they would be supported by the country. In such an establishment there should be absolute liberty for the liberated slaves, and provision made for educating and training them, and enabling them to become self-supporting communities. The Government might say the time had not come for them to do this. The alternative was to throw themselves on the good offices of those charitable societies who were ready to undertake the care of the slaves, and to follow the conditions laid down by the Government. The establishment of the Church Missionary Society at Mombas was one which was in every way deserving of their support. They had at present 375 liberated slaves entrusted to them by Her Majesty's Government, of whom a large number were children. They had an estate of considerable extent, with every facility for the training of the negroes, and the establishment was carried on in an admirable manner. This establishment was about to be placed under the command of a half-pay officer, and what the Government might now do was to invest that officer with the Consular dignity, and so place under his direction the care of these liberated slaves. That would involve little expense, while it would be one practical method of dealing with this question, which at present urgently demanded the consideration of Her Majesty's Government. The Sultan of Zanzibar had nothing that could answer to the name of a preventive force. He was very poor, and had lost £20,000 a-year by the abolition of the duty on the export of slaves, which was only partially made up to him by the subsidy of £8,000 a-year which he received from Her Majesty's Government. Now, if a Consul were placed at Mombas charged with the care of that establishment, if the Sultan were assisted in providing a preventive force, and if grants were made from the Treasury for the support, education, and training of the liberated slaves, the expense would be very small indeed in proportion to the duty that devolved on this country and the sacrifices which she had already made for the suppression of this accursed traffic. The capabilities of that portion of Africa where this traffic was carried on were almost boundless. Once put an end to the slave traffic, and smiling villages and prosperous communities would spring up, which would lead to a large amount of trade, by which the people of England would be benefited. The hon. Member for Kirkcaldy Burghs (Sir George Campbell) had told them in a recent article in *The Fortnightly Review* that the industrial capabilities of Africa were immense, and that it was a country even of greater importance than India. No one who contemplated the great continent torn by the slave trade could hesitate in doing everything that was possible to suppress that horrible system. To do so would be worthy of our high traditions, worthy of the name of Englishmen, and it was now for them to determine that the lust of slaveholding gain should be conquered by the indomitable perseverance of the Englishmen.

Sir ROBERT ANSTRUTHER, in seconding the Motion, said, that having served on the Committee on this subject, he could fully bear out the facts stated by his hon. Friend. There was, however, one fact which he would add to it, as to the number of slaves annually exported from Africa. The Report of the Committee stated that the number was 20,000; but Sir Bartle Frere brought it up to 35,000. Practically the state of the slave was worse now than when this country first undertook to deal with the question—not that the Sultan of Zanzibar had not tried honestly to fulfil his obligations, or that we had not honestly tried to deal with the question, but because the horrors of the land passage exceeded those of the sea passage. He believed the Sultan of Zanzibar was desirous to give us assistance; but the slave dealers had altered their route, and the Sultan had not power to stop them. The British Government might assist him by paying troops and he could occupy the frontier, running inland across the track which the slave caravans must pass in going North. It would be a very simple matter so far as money was concerned. It need not, so far as he could see, lead to any complications, while it would effectually prevent the passage of the slave gangs. They could also do much by establishing a settlement at Mombas, and giving Consular power to the superintendent of that station, by which they would still further narrow the line across which the slaves were carried. He expressed a hope that, notwithstanding the absence of the Foreign Secretary, the Under Secretary would be able to tell them that this odious and accursed traffic should be finally put a stop to, as it might be beyond question if we exerted with effect and determination the power and influence at our command.

Motion made, and Question proposed,

"That, in the opinion of this House, it is desirable that Her Majesty's Government should invite and assist the Sultan of Zanzibar to take such further steps as may be necessary for the total suppression of the Slave Trade within his dominions, and that at the same time more adequate provision should be made for the care and maintenance of the liberated slaves."—(*Sir John Kennaway.*)

Mr. MARK STEWART was of opinion that the able speech of the hon. Baronet must prove that there was a very great grievance in the matter which he had brought under the attention of the House; although it must be admitted that that grievance had been in a great degree abated by the wise measures which had been adopted in the last few years.

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

Mr. MARK STEWART, resuming, said, that the Treaties which had been made with the rulers of the East Coast had not been made in vain, for they had had the effect of putting down the slave traffic at sea, and it was for the Government to see whether the same result could not be achieved on land. On this subject we now had more precise information than was ever in our possession before. We now knew that there was only one main road northward, and if we could blockade this road and prevent the slaves being carried along it we were masters of the situation. We knew also that many of those districts contained some of the most fertile land in Africa and were very suitable for sugar plantations. In fact, there was a great future in store for the country if our Government would devise the means of putting down the slave trade and for helping the liberated slaves. At present, owing to the suppression of the traffic at sea, the gangs had increased enormously by land. The Arab traders said that last year was the best year they had had, because they were able so easily to elude pursuit. Besides, it was much cheaper to convey slaves by land than by sea. For about $1½ the Arab slave trader could convey a slave by this inland route instead of paying $2½ for Customs dues alone, in addition to freight. The great difficulty was how to suppress this land traffic. Should we plant our flag on the Eastern shores of Africa and found an Eastern Empire there? Or should we place British Consuls at various stations on the coast and give them power to stop the sending of slaves to the coast? The Sultan of Zanzibar was the superior of a very great territory, and through him he suggested that we might purchase land at different points of the coast at a very cheap rate. Each of these stations might consist of about 2,000 acres, and at these stations liberated slaves might be educated, might receive industrial teaching, enjoy freedom of action, acquire an improved civilization, and be taught to maintain themselves by daily labour. He trusted they would hear from Her Majesty's Government that stations such as he had suggested would be formed on the East Coast with a view to put down the traffic in slaves, and that steps would be taken to convince the Sultan of Zanzibar that it would be for his material interest to do all in his power to put down slavery. The question was one which ought to be dealt with and that speedily.

MR. BOURKE said, Her Majesty's Government had no cause to complain of this matter being brought before the House, and certainly not of the mode in which it had been brought by the hon. Member for East Devon. For his part, he was always glad when the question was discussed, because without the co-operation of the House and the entire sympathy of the country it would be impossible for the Government to effect any radical cure of this great evil. It was a curious fact that on so important a matter public opinion had blown hot and cold; and no doubt the oscillation of public opinion had in a great measure prevented the carrying out of the policy of the country. That difficulty had been felt by all who gave attention to the subject, and by no one more than by Sir Bartle Frere, who, in his evidence before the Select Committee of 1871, made special allusion to the fact. He said the cardinal evil was the change of our own opinion in this matter, and that our Government, representing public opinion, appeared to him to have been of late years very half-hearted in the matter. Since that time public opinion had very much changed, and from being cold was now, he (Mr. Bourke) hoped, becoming a little warm upon this great subject. The more they knew of the interior of Africa the more the House and the country would feel that it was their duty to resume, as far as possible, their old policy upon this subject: for he was quite certain that all the atrocities which they had read of for the last 40 or 50 years had not been overrated; and he believed that the desolation that had been caused for many years past, and which was still increasing in the interior of Africa, had never been too strongly described, and it certainly demanded the serious attention of every civilized nation in the world. There were some persons who thought that all our expense, and trouble, and anxiety, had been, in a great measure, thrown away, because the necessity of surreptitiously bringing the slaves to the coast aggravated their misery; but all the difficulties which now stood in the way in reference to the East Coast existed in the olden time in reference to the West Coast. Fortunately, those difficulties did not prevent a great and successful effort being made —the result of which was that the slave trade on the West Coast might be said to be entirely extinct. He hoped that as long as he held the office he now occupied he should disregard such misgivings, as coming from faint-hearted and irresolute men; for he was certain that if we were resolute and determined we should be able in the end to put down this great evil on the East Coast, and also, he trusted, in the interior of Africa. But they ought not to conceal from themselves the fact that the difficulties before them were enormous. An enemy had to be dealt with who was always on the alert; he had nothing to lose and much to gain, and there was no kind of trickery and chicanery to which he would not resort to uphold the nefarious traffic. It must also be recollected that it was not a very long time ago since in their own colonies slavery existed, and when it was remembered that slavery in the East dated from time immemorial they should not conceal from themselves that it would take a very long time to get people there to look upon the trade as a sin or as anything to be ashamed of. The more that was known of the interior of Africa the more difficult appeared to be the task before this country. Owing to the ravages of the small-pox and other causes, the demand for labour on the East Coast had greatly increased since this business had been commenced by the country. Various settlements were springing up where either the slave trade or the traffic under a disguise was carried on, and slaves might be carried to such islands as Madagascar and Réunion. Still, we had cause to feel satisfaction with the progress made within the last few years, and the Report of the Committee of 1871 gave very good reason for encouragement by showing that the inquiry on that occasion was directed solely to the possibility of stopping the traffic by sea, which was now entirely at an end. The Report also referred to the slave market in Zanzibar, which had since disappeared, and described a state of things which had ceased to exist under the Treaty of 1873. He could confidently state that the traffic by the sea route was stopped, and that the Persian and Arabian markets could no longer be supplied on the coast of Zanzibar. The Sultan had given up the export trade, and by so doing he had lost a revenue of from £20,000 to £30,000 a-year. He thought the House would see that the changes which they had made since the Report of 1871 ought to encourage them to go on in the same lines. The Treaty of 1873 put an end to the slave market and bound the Sultan to do what he could to put an end to the slave trade in his dominions. It called on the Sultan to do the best he could to put down slavery within his dominions, and when it was considered what the Sultan had accomplished he thought every one would consider that he had done all in his power. No one could have taken more important steps than the Sultan did last year when he signed a new Treaty with this country, the importance of which it was impossible to overrate. The reason was this, owing to the interpretation put upon the Treaty of 1873 by the Law Officers of the Crown it was perfectly possible for slaves, under the guise of domestic slaves, to be carried along the coast, and for the slave trade to be carried on in a disguised manner. Before slaves could be detained it was necessary to show that they were for sale, and the onus of proof rested upon the captor. The Arabs very soon saw that they could carry four or five slaves in their dhows under the pretence of their being domestic slaves, and yet it was impossible for the captors to prove that they were for sale. The object of the new Treaty was to cure this defect. It provided that no matter whether a slave was a domestic slave or not, or if he were for sale or not, if he was serving on board a dhow against his will, he might be captured, taken to a Consular Court, and receive his liberty. By this means he hoped that the slave trade which was springing up owing to a defect in the Treaty of 1873 would be effectually stopped by the Treaty of 1875. At the same time, he was anxious that the House should believe that the land traffic was of a serious character, and so far from thinking that hon. Members who had spoken had exaggerated, he was inclined to think that they had underrated the numbers of slaves that proceeded along the land route. It was also caused by the great scarcity of land labour which had sprung up along the whole of the coast, and also in Madagascar. He had no doubt that if the Sultan of Zanzibar saw his way to going further than he had hitherto done in the way of prohibiting the slave trade in his dominions that he would do so, and, in that event, it would be possible to stop the traffic entirely. That the traffic did exist at present there could be no doubt, and so long as it did exist all the horrors they had read of and all the desolation which they had heard of in regard to the interior of Africa must go on. There could be no change so long as the Arabs had access to the interior of Africa and could carry on the trade from there. Unless they could persuade the Sultan in the first instance, and afterwards the people on the south coast, to see that it was their interest not to have slave labour, and unless they could further persuade other persons not to engage in the trade on the coast, he believed that the traffic would go on for some time. But the Government had great hopes, from certain signs which had come under their notice, both privately and officially, that the interior of the country would be opened up to legitimate trade some day perhaps not very far distant. The Government had directed our Consuls to give every facility in their power to private ventures in the direction of legitimate trade, and he believed that the result would be the opening up of a trade which would stop the slave traffic. One circumstance which had taken place at Zanzibar was deserving of notice. The Sultan had only a few weeks ago abolished the status of slavery in certain parts of his dominions, and that was a very great advance. He did not wish to conceal from the House that this resolution had been adopted with regard to a portion of his dominion where, he was afraid, that the Sultan was not in a position to carry out his intentions; but still it was a great step in advance, and would show the Arab slave dealers and the Sultan's own Chiefs that the Sultan was in earnest in putting down not only the slave trade but slavery itself. With regard to the valuable suggestions of the hon. Member for East Devon, the Government had no intention of making any territorial acquisition; but there was no reason why they should not sanction the purchase of a certain area of land for the purpose of establishing places to which emancipated slaves might go. They had received great encouragement to proceed on these lines from what had been done by the Church Missionary Society, who had already been of great service to the Government and to the cause of emancipation. To show this he read a letter from Consul General Smith, who was acting with Dr. Kirk last year, and which contained an account of the manner in which a cargo of 241 liberated slaves had been dealt with. The House would see that the Government was much indebted to the Society, and it had, therefore, given favourable consideration to its request that a Consul should be appointed at Mombas. The matter was now before the Secretary of State, and the proposal of the Foreign Office when made would require the sanction of the Treasury; and, though he was not prepared to say what the result would be, he hoped that satisfactory arrangements would be made. Care, of course, must be taken that Consuls were not appointed in places where they would be exposed to personal danger. The expediency of assisting the Sultan of Zanzibar with a force to enable him to maintain order while putting down the slave trade would also be considered; and if such assistance could be rendered with the prospect of attaining the object in view, the Government would not be deterred by mere considerations of expense. He wished to bear his testimony on behalf of the Government to the zeal with which they believed they were served on the East Coast of Africa. He did not wish to mention names, for he might do injustice to those whose names were omitted. Every one, from Consuls down to the humblest sailor in the fleet, seemed to be anxious, not only to obey instructions, but to carry out what they believed to be the policy of the Government and of the people of England on this subject; and nothing would stimulate them so much as a knowledge of the fact that their trials and privations, which were very great, were known and appreciated in this country. He was also anxious to bear witness to the energy of the new French Consul, M. Gasparin, at Zanzibar, the more so as the French flag had hitherto been often misused for the carrying of slaves. To show how admirably the French Consul was seconding our own efforts, he read a despatch from Dr. Kirk, who spoke of a remarkable change of policy since the arrival of the new Consul. He had determined to put an end to the abuse of the French flag by Arabs and half castes and to make examples in serious cases, and already some offenders had been publicly flogged in front of the Sultan's Palace and were undergoing their additional sentence of a year's hard labour with a gang of chained convicts. Dhows carrying the French flag were being rigidly inspected with a systematic vigilance which was checking irregularities; and there could now be no doubt that the Consul's energetic action would exercise great influence on the Arab mind, and the French flag would be regarded with more respect and less jealousy. The Naval Commanders had established satisfactory relations with the Governor of Mozambique, who had offered his assistance in the pursuit of slave dhows in the Mozambique Channel, and Her Majesty's Government had thanked the Portuguese Government for the way in which the Governor General was acting. We were much indebted to the Sultan of Zanzibar for the assistance which he had rendered, and instead of putting any forcible pressure upon him, it would be wiser to carry him with us in regard to our policy, because in that way the Sultan could do more than we could do, whatever force we might have at our command. There was no difference whatever in principle between the Government and those anxious to carry out the abolition policy. The only difference there possibly could be was with regard to the means of carrying out that policy. The question was receiving at this moment the attention of the Government, and any suggestions which were made would be carefully listened to and adopted if the Government saw its way to arriving at any good result. It must be borne in mind that considerable outlay was necessary for the carrying out of our policy with reference to this slave trade. The squadron could not be permitted to cease its vigilance, and it now cost nearly £200,000 a-year. Sometimes the Admiralty was accused of profligate expenditure; but he hoped hon. Gentlemen opposite would assist the Government to keep the Navy in such a state of efficiency that they would be able to spare ships to perform the important duties on the East Coast, as well as others which naturally fell upon the Navy. The whole subject was receiving, and should continue to receive, the attention of Her Majesty's Government, who were much indebted to the hon. Baronet the Member for East Devon for bringing it before the House.

Mr. W. E. FORSTER said, it would have been a misfortune if the means which were sometimes used to secure them a holiday had been successful, and the hon. Member opposite had not been able to make his statement. He thought there would have been surprise in the country if it had been found that they could not give a little attention to this important subject. The difficulties of attempting to stop the traffic were almost overwhelming. Success in one direction seemed to make the evil worse in another direction, and the only comfort they had was that the Government were doing all they could to stop it. He was satisfied that the Under Secretary was working with will and heart, and doing all he could to render the crusade against the slave trade successful. When they heard that stopping the sea traffic had the result of increasing the land traffic, some hon. Gentlemen might think that it would be better to leave the matter alone. But that was not his opinion. He did not think the land traffic was so great as had been supposed. He was very glad to hear the promise held out by the hon. Gentleman as to the appointment of a Consul at Mombas, and as to the still stronger measures to be taken in conjunction with the Sultan of Zanzibar. He rejoiced that the Sultan had shown, to the disappointment of every one, an earnest resolution to put down the slave trade. It was not that people cared less about the horrors of the slave trade than they did formerly; they were accustomed to the West Coast, but it was some time before they realized the horrors of the East Coast traffic, and resolved to put it down. In reply to the appeal of the hon. Gentleman, he might safely say that there could be no doubt of the Opposition supporting the Government in any reasonable measure to stop the iniquitous traffic. If they left off their efforts now the wretched slaves on the East Coast would be left without any protectors or any help. They had undertaken the duty of abolishing the East Coast slave trade, and they would be dishonest if they did not persist in their resolution to put it down. He sympathized with the difficulties the Government had to encounter; but he was persuaded that they would not give up, and that they would be supported by the House and the country.

Captain G. E. PRICE said, he did not think that the extent of the slave trade in East Africa had been exaggerated; on the contrary, he believed it had rather been underrated. Recent communications from Bishop Steere and from Mr. Young, an enterprising Englishman who had taken up his quarters at Lake Nyassa, showed that a vast number of slaves were brought across that lake on their way to the coast. There were but three modes by which the traffic could be stopped. One was by a sea blockade, but from its nature it could hardly by that means be entirely stopped. It was easy enough to capture the dhows in which the slaves were conveyed along the coast; but owing to a strong current which ran from south to north, when the monsoon came on, it was necessary for our vessels to leave the coast, and they often found it difficult to get to their starting-point again. Another difficulty was this, that when the commanders of the dhows found they were in danger of capture they ran their boats ashore, dragging the slaves through the surf and into the bush; and the slaves were such abject creatures, worn down by sickness and hunger, that they never thought of making the slightest resistance. If, however, a depôt were established well to the North the liberated slaves might be kept there until the passing of the monsoon, when they could be brought to whatever settlement might have been provided for them on the coast. The difficulties of the land blockade were great, but not insuperable. From the eastern extremity of Lake Nyassa to the mouth of the Zambesi, 800 miles, the whole line was in our hands, the tribes were favourable to us, and a very small force of Englishmen would be able to stop the slave traffic which was carried on at a particular point across the lake. The slave dealers could not go to the North, for not only would it carry them a long way out of their direct route, but the country was at present occupied by a race of Kaffirs who had taken up their quarters there within the last two years, and who were neither a slave-owning nor a slave-dealing tribe. Another way would be by entering into negotiations with the Powers who had settlements on the coast, but it would be a delicate matter to deal with the Portuguese. They supposed that we were dealing unjustly with them on this subject, and in some letters recently published in the London papers they assured us that they had put an entire stop to slavery of every kind on the West Coast, but no reference was made to the East Coast; and recent information of the escape of seven dhows with 250 slaves each from the harbour of Mozambique, and which, notwithstanding pursuit by a Portuguese gunboat, contrived to get away to Madagascar, showed that the slave trade with that island had not been suppressed. In his opinion, too great importance could not be attached to the putting down of domestic slavery. Most of the slaves captured on the East Coast were marked on the shoulder by sores entirely caused by carrying down merchandize, especially ivory, to the coast. It might be thought that one of the easiest ways of bringing down merchandise would be by means of that great watercourse, the Zambesi, and so it would be but for the heavy and almost prohibitive duties imposed by the Portuguese, which it was most desirable, if possible, to get reduced. The value of the ivory which a slave could carry down the coast used to be greater than the value of the slave himself. The whole subject was a most important and interesting one from other points of view besides its philanthropic aspect, and any light that could be thrown upon it would be valuable.

SIR GEORGE CAMPBELL expressed his satisfaction at the speech of the Under Secretary for Foreign Affairs. There was, he thought, some truth in the remark that in the eager pursuit of wealth there had been some relaxation of the national conscience in regard to the slave trade. The hon. Gentleman had expressed the sanguine hope that, as they had put down the slave trade on the West Coast of Africa, so they should put it down on the East Coast. That abominable traffic by sea, he was inclined to think, had been diverted and interrupted, but he did not gather that it had been suppressed. From Mozambique it still continued, and as regarded the trade formerly carried on from Zanzibar, and now diverted to other channels, that traffic was not only a land traffic, but partly also one by sea. The Under Secretary hoped that the Navy, by supplying the necessary vessels, would assist in the suppression of the East African Slave Trade; and if it should cost an additional halfpenny in the pound on the income tax to effect that object, he trusted that means would be adopted to accomplish it. The slaves which were captured and taken to our colonies were only nominally set free. They were indentured to the planters under contracts of what he must call compulsory labour; and their position was, to some extent, one of modified slavery. He thought it would be most desirable that we should establish a foothold in East Africa where the released slaves should be really free, and an example of free labour should be set to all the neighbouring countries. It might not be difficult by purchase and negotiation to obtain on the East Coast of Africa a small colony, which would be the centre and nucleus of a very great work for humanity, just as we now had various small settlements on the West Coast. We should not incur the same risk of an Ashantee war, or encounter the same difficulty in securing access to the interior from the East Coast as we did on the West Coast of Africa. The Portuguese claimed a coast-line of some 1,200 miles, but they had only a few posts where they exercised dominion, and the Sultan of Zanzibar had a great extent of coast over which he exercised little or no practical dominion. The possession of a small British colony in that region would enable us to check the slave trade more effectually where it had now assumed a very severe form, and was attended with more loss of life and greater horrors than had previously marked it.

Mr. D. DAVIES felt very much obliged to the hon. Member for East Devon (Sir John Kennaway) for having brought forward this Motion. Although, unfortunately, it was brought forward when there were very few Members in the House, and although the debate was not so lively as that on the Motion with reference to whiskey, yet he could assure the hon. Baronet that the country took very much more interest in his Motion than it did in the Motion brought forward earlier in the evening. He took the greatest interest in this question many years ago, and he trusted we should not be satisfied until we had liberated the last slave. He could understand that there were many difficulties in our way; but if foreigners perceived that we did not now take the same interest in the suppression of the slave traffic as we did many years ago, they would begin to think that we were wrong and they were right with regard to the slave question. He was sure that the country took a great interest in this question, though the Under Secretary of State might think that such interest was not taken. The little mishap of the Government in connection with the Fugitive Slave Circular showed the popular interest in it. It was the duty of every Government to look well after the slave trade and suppress it as much as possible. He wished that some more fiery speeches had been made on the subject; indeed, had he known it would have been necessary he would have prepared one himself. Although the Chancellor of the Exchequer was poor at present, the country ought not to grudge any money spent in putting an end to this disgraceful traffic.

Motion *agreed to.*

Sir George Campbell

PEACE PRESERVATION (IRELAND) ACT.

RESOLUTION.

Sir JOSEPH M'KENNA: Sir, before I submit to the House the Resolution which stands in my name, I must ask the attention of hon. Members to the exceptional and unconstitutional position in which so large a portion of the United Kingdom as Ireland still continues. I am not about to open up at present any discussion on the policy of the law under which Ireland is placed at the mercy of the Executive Government for the time being; nor am I about to charge Her Majesty's Government with any abuse of what I may describe as the unconstitutional powers confided to it by Parliament. I am simply concerned to explain, to the best of my ability, the grounds on which I contend that the Executive Government of Her Majesty in Ireland ought now to put an end to what may be fairly termed a state of siege. Hon. Members will understand that I do not describe the existence of the Peace Preservation Act as in itself constituting a state of siege; but I regard it as an act which enables Her Majesty's Government to declare and keep in force a state of siege, and at its pleasure to put an end to that state. My present object is to show to the House that the condition of Ireland warrants, nay, demands the restoration of the country to its constitutional relation as an integral portion of the Empire. In 1847 the Crime and Outrage Act—as the Arms Act of that Session was called—was passed for two years. Parliament was easily induced to pass that Act, because of the short period proposed for its duration. It was, however, renewed in 1850, 1852, 1854, 1855, 1856, 1858, 1860, 1862, 1865, 1867, 1868, 1869, 1870, 1871, and 1874. It was never renewed on any of these occasions for a longer period than three years; but last year the Act was renewed for five years. I admit that the Act passed last Session was shorn of many of the most repugnant provisions of former Acts, and I also admit that there has been no indication on the part of the Government of the Duke of Abercorn to abuse the powers which were confided to it by Parliament by the issue of fresh proclamations; but the only acts of the Duke's Government for which I can offer any acknowledgment are those by which he has restored the inhabitants of certain districts to the protection of the law, by withdrawing the proclamations which had so long subjected them to grievous penalties for acts in no way immoral, nor opposed to natural law. Sir, I know that there is a political party in Ireland—perhaps I should better term it a somewhat extensive clique—which still retains the prejudices and clings to the traditional policy of a governing class. These people, if I may be permitted to appropriate the expressions of an eminent Judge, probably go wrong rather from unconscious bias than from intention; but, however that may be, they have been the constant and consistent advocates of coercion at all times, and so far as their counsels have hitherto prevailed, they have been effective in bringing home, not merely to the bulk of the Irish people, but to all who sympathize with Ireland, the disagreeable fact that Ireland is legislated for in a spirit of severity and coercion which prevails in no other portion of the United Kingdom. I say this because in Ireland acts which are not offences against any natural, or moral, or religious law, are converted by proclamation into offences under a penal statute. Politicians of the class I refer to reverse the merciful maxim of the British law, which says that it is better that 10 guilty should escape than that one innocent should suffer; for they openly avow that it is a matter of slight account that a dozen of innocent men should be arrested and imprisoned without evidence in order to have a chance of punishing a single offender. I cast no censure on the Irish Government for anything it has done. It has administered what I believe to be a harsh law, with tact and consideration. What I desire to say is, that the circumstances of Ireland warrant — nay, call for—the Government proceeding more rapidly in the restoration to the inhabitants of Ireland of the protection of constitutional law. Sir, I have at all times counselled obedience to the law; but it is right to show to the Irish people that their Representatives in this House are watchful of the interests of Ireland, and are not wholly overborne when they try to preserve for the people, or to restore to them the protection of the Constitution. I know that the class of people in Ireland who clamour for the maintenance of coercive laws in their most repressive and severe form try to make out that the existence of crime, even in isolated cases, justifies the continuance of proclamations in force over large districts unsullied by crime, and over millions of people against whom there is not a particle of evidence of criminal acts, or of complicity with the evil-disposed. Is there any hon. Member of this House who will undertake to show, or even to say, that crimes of violence, or any other class of crime, prevails in Ireland in a greater proportion to area or population than in England or Scotland, and if this cannot be shown, is there any valid reason for maintaining in force proclamations which are a serious source of danger and wrong to persons? If Parliament showed confidence in the people of Ireland as it has done with the people of England, Ireland would be the more easily governed country of the two. I must now, Sir, refer to the Parliamentary Papers, which show what districts of Ireland remain under the operation of proclamations. I think hon. Members who sympathize so warmly with the sufferings of the Herzegovinians and other struggling races at a distance, can scarcely be conscious that constitutional law is abrogated by proclamation in the counties of Antrim, Armagh, Clare, Cork, Cork City, Donegal, Dublin County and City, Galway County and Town, Kerry, Kilkenny County and City, King's County, Leitrim, Limerick County and City, Londonderry, Longford, Louth, Mayo, Monaghan, Queen's County, Roscommon, Sligo, Tipperary, and Waterford County and City. In 21 of the 32 counties—the part of some, the whole of others—the ordinary law is suspended, and people live under a police code. But, say the advocates of coercion, crime still exists more or less, and these laws are requisite to keep it down. Indeed! Then why confine it to 21 counties? No doubt, these people would have the law superseded over the 32 counties, so that I need not use that or any other argument to them; but the House will, perhaps, bear with me whilst I refer to the comparative statistics of crime in England and Ireland, and to the Report presented to Parliament last year by command of Her Majesty. To my mind, there is an eloquence in these statistics—a logic, I should rather say—that is more convincing, and that ought to have greater weight with Parliament than the isolated *dicta* of learned and eminent Judges. These *dicta* are, indeed, of great value in the trial of each particular case. Even where they are erroneous they may tend to the elucidation of the truth, for they enable appellate tribunals to discern wherein the Judges of first instance have erred, and they enable justice to recover its equilibrium; but whatever may be the respect due to those dignitaries, this House would commit a grave error if it legislated for a great community on the suggestion of one whose whole mind is intent on the symptoms of the particular case he has to try, and who, very properly, leaves most other matters out of sight. I am, therefore, not about to trouble the House, or to edify it, by quoting from the charges of learned Judges at the late or at any other assizes. I do not say that fair use may not be made of such charges in debates in this House; but for the reasons I have already offered, I refrain from using some which appear to support my own views. I have other materials at hand with which I prefer to prove the case which I have undertaken to bring under the consideration of this House. I must now refer to the introductory and explanatory observations in the Report issued by the Government on Irish criminal statistics, page 11, which showed that the number of indictable offences in Ireland had fallen from 10,865 in 1864, to 6,662 in 1874, and the proportion per 10,000 heads of the population, from 19 in 1864, to 12 in 1874. I will also show how small the proportion of agrarian crime is to the total of crime; but nevertheless, such as it was, and is, it has fallen from a yearly average of 324 in 1862-3, to 233 in 1873 and 1874. Agrarian outrages had, on the whole, decreased 41 between 1873 and 1874, notwithstanding that I have to admit an increase of 28 such offences in Ulster. The indictable offences of all kinds decreased as between 1873 and 1874, from 6,942 in the former year, to 6,662 in the latter. As for the offences determined summarily, they showed a slight decrease between 1864 and 1874, but not proportionate to the decrease of the population of Ireland in the meantime. They decreased from 232,363 in 1864 to 228,501 in 1874; but, nevertheless, owing to decrease of the population, the proportion per 10,000 head of the population had risen from 411 to 430. There is nothing, however, in these offences to call for the proclamations of the Lord Lieutenant being continued in force. The offences of drunkenness and common assault constituted 128,000 out of the 228,000 offences determined summarily, and there were about 57,000 to 60,000 of the nature of civil offences. I admit, however — and I will hide nothing from the House as to the facts—that there was an increase of 4,658 of those minor offences in 1874, as compared to 1873; but I will read the note on this subject of the able and impartial statistician (Dr. Neilson Hancock) who compiled those tables. These were Dr. Hancock's words—

> "It appeared that more than a third of the increase in offences disposed of summarily in 1874 may be ascribed to drunkenness. The increase under that head was 1,815. The other large increase, 1,227 against Police Acts; 1,063 against Local Acts, and 606 against Weights and Measures Acts. All mark increased vigilance of the police in prosecuting for minor offences."

Yes, that is what it marked, and nothing else; there was no indication that general peace was in greater peril in Ireland in 1874, than in any other portion of the United Kingdom. I will now deal with the bugbear of agrarian outrage, so far as my present observations are concerned, once for all by this proposition —namely, that crime is least in the agrarian or country districts, and greatest in towns, where there can be no reason for attributing crime to agrarian causes. Hon. Gentlemen must not mistake me: I do not mean merely to say that crime is less in the country than in towns—in proportion to their respective areas—for, of course, that would be so everywhere; but what I mean to say is, that the country population as a whole, and relatively to their numbers, are ten times more free from crime than the population of the large towns. I am anxious not to weary the House; but, perhaps, the surprise with which some hon. Members might learn the result of Dr. Hancock's able and exhaustive analysis, might compensate them for giving attention to these dry statistics. I will only read two short paragraphs from the Report, which summarize its results. This is what the learned Doctor says in reference to his own table—

> "The most marked feature disclosed by this table is one that was particularly noticed in the

past three years, viz., the extent to which crime is concentrated in towns in Ireland. Thus whilst the average of all Ireland of indictable offences is 12"—

I ask the House to mark this—

> "the crime in the metropolitan police district reached 110 in the 10,000 of the population; and it gives a more definite conception of the matter to notice that of the 6,662 indictable offences in Ireland, 3,734—or more than one half—occurred in the Dublin metropolitan police district."

The learned doctor (the Lord Lieutenant's statistician, be it observed) gives us another interesting table, and follows it up by these remarks—

> "It appears from this table that the excess of crime in urban districts, as compared with the adjoining county, is—in the case of Dublin, 91 per cent: in Cork, 57 per cent; in Waterford, 51 per cent; in Galway, 49 per cent; in Belfast, 44 per cent; and in Limerick, 42 per cent."

Immediately following the paragraphs I have quoted, Dr. Hancock refers to the exceptional amount of criminality in Kildare county, and he accounts for it, no doubt, truly, by referring it to the concentration of troops in a rural district; and I am glad to see that the Lord Lieutenant has withdrawn the proclamation from that county. Now, I ask, in the name of common sense, if the condition of Ireland be as Dr. Hancock describes it, what excuse is there on the score of agrarian outrages, for the maintenance of proclamations over wide districts of Ireland, where the population is nearly ten times more free from crime than the population of the City of Dublin, in the vicinity of Dublin Castle?

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

Mr. SULLIVAN speaking, seated and with his hat on, said, he believed he was in Order in announcing that these attempts to count out the House were quite useless, because there were 44 Irish Members who were determined that a House should be kept, if it were necessary, until 6 o'clock in the morning.

Sir JOSEPH M'KENNA then proceeded with a further analysis of Dr. Hancock's tables, and then said: I will now advert to the plea which has been put forth more than once by certain persons who attribute the excess of crime in England to the fact that a large number of Irish have immigrated to this country, and so swelled the English Returns of crime. Dr. Hancock, at page 23 of his Report, most conclusively and unanswerably demonstrates the fallacy of this plea; he shows that in London, Liverpool, and Manchester—the three towns where the persons of Irish birth reside in greatest numbers—the criminality of the Irish population was only 64 per 10,000 — as compared with 76 per 10,000—the average criminality of persons of the same age in the general population of those cities. These are Dr. Hancock's precise words—

> "The criminality of persons of Irish birth in England appears from this comparison to be not excessive, and so cannot account for the less amount of indictable offences in Ireland than in an equal portion of the population of England and Wales."

I will not lose time in dilating upon this evidence. The man who rejects the conclusions with which it is fraught will not be moved by anything I may say. Now a few words as to Scotland. Amongst the observations which are often addressed to Irishmen both in this House and in the Press is this—that they should take example from the people of Scotland. Let us see. My Scotch Friends—and some of my most respected Friends in this House are Representatives of Scotch constituencies—will bear with me whilst, in company with Dr. Hancock, I review the criminal statistics of Scotland, and compare them with those of Ulster, where six out of her nine counties still lie under proclamation by the Lord Lieutenant. The Report shows that in the crimes against human life the proportions are nearly alike for Ulster and an equal proportion of the population of Scotland; the figures being 95 for Ulster against 90 for Scotland, in the two years compared. With respect to all other crimes, he says—

> "The crimes against veracity were only 3 in Ulster, as compared to 11 in Scotland. Crimes against morals"—there is no occasion to mention their ugly names—"were only 31 in Ulster, as compared with 82 in Scotland. The offences against property in Ulster were only 3,820, as compared with 12,526 in Scotland. In police offences there were 54,027 in Ulster, as compared with 58,604 in Scotland."

I ask hon. Members what excuse there can be in favour of continuing a penal code for Ulster, whilst Scotland enjoys—what I certainly do not grudge her—that liberty for which in past ages she poured forth her blood, not in vain. Sir, I now come to another part of this case, in which I have to work my way through a positive concrete of ignorance and prejudice. The general opinion in England—the resolute assumption of most of those with whom I have conversed on Irish affairs—has been that it is infinitely more difficult to trace out and punish criminality in Ireland than in England. The Return, which will be found at page 26 of the Report from which I have been quoting, will wholly dispel this delusion, for it is nothing else. Dr. Hancock's figures show that in proportion to offences the apprehensions in England and Wales are only 49 per cent, and those in Ireland are 73. But I suppose it will now be urged as a further plea that the complaint is not as to the proportions of criminals apprehended, but as to the proportion of convictions. I will not leave a vestige of that further plea in existence. It will follow as an absolute result of the facts I shall set before the House, that, although the number of acquittals in Ireland is greater than in England in proportion to the number of persons placed upon their trial, the number of persons convicted in Ireland is much larger than in England in proportion to the number of offences committed. The possibility of such a disparity has to be accounted for, and I account for it by this fact, generally overlooked, that in England the people accused are not even put upon their trial in the same proportion that the accused are sent for trial in Ireland. But a large proportion of Irish acquittals arises also from a still more potent cause, and the most legitimate of all reasons—namely, that a little more than a third of those put on their trial in England are known criminals, whilst not a fifth of those sent for trial in Ireland belong to a criminal class, or are known offenders: but there is another reason. Dr. Hancock shows that the proportion of those who being apprehended were discharged without trial in England and Wales for want of evidence is 49 in every 200, as against 31 in every 200 for Ireland. It is due to these premises that the proportion of acquittals in Ireland should be greater than in England. Is trial by jury to be rendered indeed a mockery and a delusion, that you are to expect a proportion of convictions in Ireland equal to those in England—when the number of those accused is in Ireland, in proportion to actual offences, so much greater than in England! The proportion of acquittals in Ireland is 30 per cent, and in England 21 per cent; nevertheless, the proportions of convictions in Ireland to offences is between 20 and 30 per cent greater than the proportion of convictions to offences in England. Sir, I shall not trespass on the patience of the House much longer. I am conscious that I have not said all that I might say with propriety. There are many other points of view from which the severity practised towards Ireland casts gloomier shadows than I have attempted to depict. I pray the House not to allow their execration—and their proper execration—of isolated crimes which do occur in Ireland, as everywhere else, to induce them to countenance the maintenance in force of proclamations which are powerless to repress solitary criminals, and rankle in the hearts of many who have never been guilty of violence, and are wholly free from complicity with crime. The hon. Gentleman concluded by moving his Resolution.

Mr. O'CONNOR POWER seconded the Motion.

Motion made, and Question proposed,

"That this House, while viewing with satisfaction the withdrawal from several counties of Ireland of the proclamations issued under the Peace Preservation Act, is of opinion that the present condition of Ireland does not justify the retention of the powers of that Act over so large a portion of the Country as still remains subject to its provisions."—(*Sir Joseph M'Kenna.*)

General SHUTE, having commanded two Irish regiments, bore testimony to the good qualities of the Irish people, when unmoved by political agitators and treated with kindness and firmness and the certainty of punishment. In considering the amount of crime in England as compared with that in Ireland, regard ought to be had to the proportion of the criminals that were of English and of Irish birth. Now, in England he found that while the Irish only formed one-fortieth of the population they committed one-seventh of the crime. The total number of Irish-born residents in England, according to the Census of 1871, was 566,540, of whom no fewer than 498,733 were above 20 years of age. The number of all ages committed to prison in 1873 was 155,413, of whom 22,100 were Irish born, or 14·2 of the whole. Lord Aberdare stated at the meeting of the Social Science Association at Brighton that the Dublin Metropolitan Police District, with a population of only 337,000, produced more serious crimes than the remainder of Ireland, with its 5,000,000 and upwards. The indictable offences committed were to the entire population of Ireland 12·8 per 10,000 inhabitants, while in the Dublin district they were 112·8 per 10,000. He quoted these figures not to disparage Ireland, but to show that the hon. Gentleman had not been fair to England in the allegations which he had made, and he would further find, by reference to the Census of 1871 and judicial statistics of 1873, that the before-mentioned Irish contingent of 566,000 furnished annually about 22,000 prisoners to English gaols.

Mr. O'CONNOR POWER said, he wished to make a few observations, as he had seconded the Motion. It was pretty generally allowed that Ireland was more free from crime than either England or Scotland; but it was urged by the Government that the crime which prevailed in Ireland was of an exceptional character, and must be dealt with in an exceptional manner. Now he admitted that agrarian outrages were peculiar, generally speaking, to Ireland, and that they should be treated exceptionally; but he maintained that the exceptional legislation by which they ought to be met should be of a remedial and not of a coercive description. The real remedy was by fixity of tenure, to secure to the Irish tenant the fruits of his labour, and so do away with that sense of injustice which prevailed among the people. The Motion of the hon. Member for Youghal was one of a very moderate character, and he hoped it would be received by the House in the spirit in which it had been proposed.

Lord ROBERT MONTAGU said, the hon. and gallant Member for Brighton (General Shute) did not dispute the statistics of the hon. Member for Youghal, but wanted to show that a large portion of the crime in England was owing to the Irish element in the population of the country. He might, however, retort on him, and say that a large portion of the crime in Ireland was committed by the English and Scotch who resided there, but he would be above doing so. The question before the House related to proclamations of a local character, and the just argument of the hon. Member for Youghal was, that if districts in Ireland ought to be proclaimed in consequence of their crimes, *a fortiori*, districts in England ought to be put under proclamation also. The hon. and gallant Member (General Shute) said that there were 22,000 Irish prisoners in the English gaols in the course of one year, but he did not venture to say that these were either murderers or thieves. The fact was that they were men committed for a day or for 48 hours for drunkenness, and when the Irish wished to free themselves from that temptation, Parliament refused to pass for them the measure which they asked for the closing of public-houses on Sundays. The hon. and gallant Gentleman, in quoting Lord Aberdare, omitted what the noble Lord had said in favour of the Irish. He said that the Irish in England were worse than the Irish in Ireland, and he attributed that to the seductive influences to which they were subjected here. The reason of that was that in Ireland the people had their priests to look after them; whereas the Irish in this country were often separated from the services of their religion and were not under the control of their clergy.

General SHUTE said, he did not quote from Lord Aberdare only. He quoted from the Judicial statistics of 1873, statistics which he had himself examined, and from the Census of 1871.

Lord ROBERT MONTAGU said, that no doubt there were weaker points in the hon. and gallant Gentleman's speech than those which he derived from the statement of Lord Aberdare. To show the folly of the attempt to put down crime by proclamation, he might state that the murder which was committed the other day was committed in a proclaimed district, where the Government thought the people were without arms. The remedies they had tried had failed, and the only remedy which could put an end to Irish crime and discontent they had refused to try.

Sir PATRICK O'BRIEN said, the question was not the relative proportions of crime in Ireland and in England, but whether political offences and agrarian crime, to meet which the Coercion Act was passed had so far disappeared as to justify the repeal of that measure. The noble Lord had alluded to a recent murder in the country. He, as much as any man, condemned the atrocity of that crime; but it supplied no reason why a law passed under exceptional circumstances should be kept in force in districts of the country in which crime and outrage did not exist. Our duty was to show the people of Ireland that the British Government was inclined to treat them with kindness and consideration. Lately, under the operation of this coercive law, a gentleman having a commission in the Army, and well known for his loyalty, was arrested and and treated in a very rude manner in the neighbourhood of Booterstown. On complaining to the Police Commissioners they made no inquiry, and afforded no satisfaction or redress to this ill-used gentleman. The law was not justified by necessity, and therefore he (Sir Patrick O'Brien) would support the Motion of his hon. Friend.

Sir MICHAEL HICKS-BEACH said, the hon. Member who had brought forward this Motion told the House that the greater part of Ireland was outside the pale of the Constitution, and in a state of siege, because it was subject to the restrictions imposed by ordinary proclamations under the Peace Preservation Act. He would not further notice an exaggeration which would seem sufficiently absurd to all who were acquainted with the facts; but would state to the House precisely what the Government had done in this matter. When they came into office two years ago they found Belfast and several counties under provisions which certainly were very stringent. They were subject to a special proclamation. Persons out at night under suspicious circumstances were liable to arrest, public-houses might be closed at any time, and all strangers unable to give a proper account of themselves were liable to arrest. Last year in asking Parliament to re-enact certain portions of the Peace Preservation Acts, they had not retained those provisions, and he was thankful to say that the result had so far proved the wisdom of the course they then pursued. Ireland was not less, perhaps it was even more orderly, peaceable, and contented than before these provisions were repealed. Two years ago Tyrone was the only county in Ireland which was entirely free from the ordinary proclamation imposing certain restrictions on the free possession of arms. But now, in addition to Tyrone, Wexford, Wicklow, Carlow, Kildare, Fermanagh, and Down, with the exception of Belfast—a portion of which was in Down—had been placed in the same condition as any portion of England. The Government hoped to proceed in that course, after careful inquiry, into the different parts of the country. But it was of little use to compare the records of ordinary crime in England and Ireland with each other when dealing with the question of the Peace Preservation Acts. They had to remember, in spite of the great improvement in the condition of Ireland of late years, and in spite of the decay, at any rate on this side of the Atlantic, of the Fenian organization, there still remained in many parts of Ireland a spirit of disaffection and dislike to this country, which rendered the circumstances of Ireland exceptional as compared with any other part of the United Kingdom. They must also bear in mind that it would still be very dangerous that a population so liable to excitement, and more apt to be carried away at certain times and in certain moods than the steadier race on this side the Channel, should have free and unrestricted use of fire-arms, more particularly at a time when so many returned emigrants had come over from America, in whose hands the revolver would be a familiar and deadly weapon. They had also to remember that a strong and bitter party feeling existed in Ireland; and there was another point which could not be overlooked in dealing with this question. Hon. Members who represented Irish constituencies must admit that agrarian crime was peculiar to Ireland, it being an offence that was unknown in Great Britain. He would not enter into details on the subject; but he might point to cases of agrarian crime which had occurred during the last winter which showed that the state of Ireland in this respect was still by no means satisfactory. As to the recent terrible outrage to which reference had been made, he remarked that it was a deliberate attack upon a gentleman against whom even his enemies had alleged nothing worse than that he had carried out, perhaps somewhat harshly, the lawful directions of his employer; and the worst part of the case was that no assistance whatever had been rendered by the people of the neighbourhood towards bringing the offenders to justice. Such a state of feeling in the district was even worse than the crime itself, and showed the necessity there still was for exceptional legislation. The noble Lord (Lord Robert Montagu) had said that the proclamation of districts did not put a stop to agrarian crime; but although there might be some foundation for his remarks, he must admit that, by rendering the possession of arms comparatively rare, the temptation to commit such offences was lessened, and therefore, for this reason as well as for others, it was important to retain a restriction upon the possession of arms in certain parts of Ireland. He did not wish it to be supposed that he was taking isolated cases as proofs of the condition of the whole country; but the fact that such offences did occur pointed to the need of the greatest caution and prudence on the part of the Government in relaxing the present law. Her Majesty's Government felt deeply the responsibility they would assume in revoking the restrictions upon the possession of arms without the clearest evidence that it could be done with safety; because any disturbance resulting from such a course might drive capital, the resident gentry, and all that promoted the prosperity of Ireland from the country, while the existing restrictions involved but little inconvenience. Looking to the action taken by the Government, he trusted the House would continue that confidence which Parliament reposed in them last year. The administration of the Act must be left to those who were responsible for it, and who alone possessed the necessary knowledge. There was, however, a part of this exceptional legislation to which reference had been made that was of a very stringent nature—namely, the Protection of Life and Property Act, which applied to Westmeath, Meath, and some adjoining districts. That, he admitted was a law of exceptional severity, and he hoped that before long the day might arrive when the operation of that law would be no longer necessary to preserve peace and good order in that locality. Hon. Members opposite complained that the Government proceeded slowly in this matter. Well, he hoped that would enable the Government to act the more surely; and he could assure them that the Government had in view, as an ultimate result, precisely the same object that they themselves would desire—namely, that the law should be uniform through the whole of the Kingdom.

MR. BUTT said, he had nothing to complain of in the tone of the remarks of the right hon. Baronet. When this Act was passing through the House last year he called attention to this—that almost all the proclamations then in force in different counties and districts in Ireland had been in force for, he thought, more than 10 years, and he therefore very strongly urged that there ought to be a general revision of those proclamations, because the fact that a county or a district was in a disturbed state 10 years ago was no proof that it was at present in that condition. The right hon. Baronet said he would carefully review all the circumstances of each county affected by a proclamation. He now pressed for the fulfilment of that promise. He perfectly appreciated the difficulties under which the right hon. Baronet was placed. He would advise the right hon. Baronet to act on his own opinion as to the advisability of withdrawing proclamations, and not to allow any pressure to be put on him against such withdrawal. If the right hon. Baronet acted on his own opinion in that matter, he (Mr. Butt) believed that in a short time nearly all Ireland would be free from the operation of this Act. In the greater part of Ireland there was not, at the present moment, the slightest excuse for continuing the proclamations. As for the agrarian outrage which had just been committed the less said about it the better. He was not acquainted with the facts of the case, and if he were he would rather not in his place suggest the possibility of excuse for such a crime. He said the other day there were indications that the Irish landlords were beginning to renew their oppression, and he could only repeat now his strong conviction that as long as Parliament refused to give protection in his home to the Irish tenant, no laws they could pass would put an end to agrarian disturbances. After the statement which the right hon. Baronet had made there was no necessity for continuing the discussion, and he would only add that in his belief the more the people were trusted, the more would peace and tranquillity prevail in Ireland.

MR. WHALLEY must state that it was not creditable in some points of consideration for the Government to be trifling with this question. There were foreign influences in operation in Ireland, and the Government should put a stop to them. He could not understand why the Government kept their reasons to themselves for not putting a stop to these foreign influences in Ireland. They were favouring veiled rebellion in doing so. They should say, as the Lord Chief Justice of Ireland had said—"There is a power in Ireland greater than the legitimate power of the British Crown," and he (Mr. Whalley) must say that it appeared to be so. The remedy for the evils complained of in Ireland was freedom of discussion, of public meetings, and power to explain to the public the tyranny under which they suffered, and the danger to which it subjected them.

SIR JOSEPH M'KENNA said, that after what, on the whole, he would designate as the satisfactory answer of the right hon. Baronet the Chief Secretary for Ireland, and the manner in which his (Sir Joseph M'Kenna's) statement had been received by the House, he would withdraw his Motion.

MR. SPEAKER then put the Question whether the hon. Member for Youghal be allowed to withdraw his Motion—but an hon. Member objecting—

MR. PARNELL moved the Previous Question.

MR. SPEAKER accordingly having stated the original Question put the *Previous Question,* "That that Question be now put."

Resolved in the *Negative.*

METROPOLIS—HYDE PARK—THE SERPENTINE.—RESOLUTION.

MR. PEASE rose to call attention to the mounds of earth now being erected on the south bank of the Serpentine; and to move—

> "That the mounds at present being erected on the south of the Serpentine are unsightly, and will, when planted, be detrimental to the picturesque character of Hyde Park, and ought to be removed."

The hon. Member said, these earthworks had been already carried on to so great an extent as nearly to obliterate the view of the ornamental water for all pedestrians, and, generally speaking, for those who rode on horseback, for nearly half the distance of the southern bank of the Serpentine. He ventured to say that the sum of £350, which was set down in the present Estimates for completing these mounds, would be far better spent in removing them. As regarded the mounds being a protection for bathers, he contended that they did not answer that purpose, since there were large openings between them, and viewed from the opposite shore bathers were actually placed in relief against the mounds, and were far more conspicuous than before. It was a disgrace that there was so little suitable accommodation for bathers, and some remedy in this matter was much wanted. His chief objection to the mounds was that they were opposed to the whole spirit of landscape gardening, and would destroy some of the prettiest parts of the Park.

Motion made, and Question proposed,

> "That the mounds at present being erected on the south of the Serpentine are unsightly, and will, when planted, be detrimental to the picturesque character of Hyde Park, and ought to be removed."—(*Mr. Pease.*)

MR. W. LOWTHER said, he entirely agreed with what had been said. The works which were being constructed would destroy one of the most beautiful views in the Park, and it would be real economy to spend some money in removing them. The Park was large, and ladies need not go near the bathers. The first thing that might shock the delicate feelings of a lady on entering the Park at Hyde Park Corner was the statue of Achilles. Yet it was dedicated to the memory of Wellington by the women of England. Now, however, it was said that women would be shocked by seeing bathers at a distance of 300 or 400 yards. He hoped the mounds would not be allowed to remain.

MR. ADAM trusted that they would be able to express the sense of the House in such a way as to induce the First

Commissioner of Works to revert to the plan which was originally proposed in reference to this matter. It was a great mistake to take a part of the Park, which was very pretty in itself, for the purpose of planting shrubberies upon it, and thus preventing it being used by the public, in the way it ought to be.

Lord ELCHO regretted that the question, being urgent, had to be brought forward in the absence of Her Majesty's First Commissioner of Works, but it was desirable that the House should intervene before the works that were objected to had proceeded further. The question, however, really at issue was one of much wider scope than that of the erection of these mounds, as it involved the constitution of the Office Her Majesty's Works and the question whether a First Commissioner should have it in his power to alter the Parks, cut down trees, and erect public buildings according to his own taste. It was important that there should be some sufficient check in these respects. He hoped that the Government, seeing the strong opinion which existed against the erection of these unsightly mounds, would give orders to stop them. The ladies who had objected to what the First Commissioner had called "nude bathers" had an easy remedy in their own hands —they could either not go to the Park when the bathers were permitted to use the water of the Serpentine or go to Regent's or Battersea Parks, or when in Rotten Row turn their eyes away from what shocked them.

Mr. DILLWYN also supported the removal of the mounds.

Mr. DAVENPORT-BROMLEY considered that no real annoyance or indecorum was caused by bathing in the Park.

Sir WILLIAM FRASER said, these mounds were objectionable in every respect: seeing the strong feeling against them he hoped the Government would gracefully yield the point. The First Commissioner of Works was unfortunately not able to be present; but there were several other Commissioners in the House, and he hoped they would give the House an assurance that further progress would be stopped.

Earl PERCY said, there were many grave questions involved in this Motion, which could not be discussed at that hour of the morning, and he should therefore move the adjournment of the debate.

Mr. GATHORNE HARDY said, that in the absence of the First Commissioner of Works, it was undesirable to come to any conclusion. He could, however, say, on the part of the Government, that there was no disposition to continue the mounds if there was a strong feeling against them. The mounds, however, being there, he thought they would agree with him that they should not be removed until the matter could be more fully considered than was possible at that hour, and there would, therefore, be no objection to the adjournment of the debate.

Mr. GOLDSMID drew attention to the bad state of Rotten Row, which was full of holes, and might occasion the loss of a Cabinet Minister.

Mr. PEASE consented to the adjournment of the debate, and expressed a hope that the works, for the present at least, would not be further proceeded with.

Major O'GORMAN begged to congratulate the House on the proceedings of that evening, and upon the fact that a considerable number of the Members of that House had remained at that hour to discuss the question of a few dirty little shrubs, whilst no less than four attempts at count-out had been made whilst they were discussing coercion laws for Ireland—the coercion of the Irish people. Those mounds and shrubs were more important in the eyes of hon. Members than the coercion of the Irish people.

Debate *adjourned* till *Monday* next.

House adjourned at a quarter
after One o'clock.

HOUSE OF COMMONS,

Wednesday, 5th April, 1876.

MINUTES.]—Public Bills—*Second Reading*—Elementary Education Act (1870) Amendment [14], *put off.*

Committee—Report—Trade Union Act (1871) Amendment * [92].

Third Reading—Partition Act (1868) Amendment * [97], and *passed.*

ELEMENTARY EDUCATION ACT (1870) AMENDMENT BILL—[Bill 14.]

(*Mr. Dixon, Mr. Mundella, Sir John Lubbock, Mr. Trevelyan.*)

SECOND READING.

Order for Second Reading read.

Mr. DIXON, in moving that the Bill be now read a second time, said: Mr. Speaker, I have first to express my regret that the measure on primary education announced in Her Majesty's most gracious Speech has not yet been laid upon the Table. If it had been so, I probably should not have thought it necessary to trouble the House further with my Bill; and, in any case, by the introduction of that measure, the ground of discussion would have been cleared by the elimination of those points upon which that Bill might have proved that we were agreed. There may probably be some hon. Members who think that, under any circumstances, the promise of a Bill from the Government ought to have prevented me from going on with a private Member's Bill. But, Sir, we are aware that it is not an unusual occurrence that a Government Bill, even when announced in Her Majesty's Speech from the Throne, should sometimes be dropped. Last year we had a notable instance of this in the case of the Bill in which my hon. Friend the Member for Derby (Mr. Plimsoll) took so deep an interest. I hope that what may be said to-day will have the effect of materially clearing the way for the debate on the Government measure when it is introduced. Now, Sir, last year I tried, as far as possible, to bring before the House all the reasons which induced me to think that the country was well prepared for the extension of the principle of compulsion to the agricultural districts. In reply to the arguments which I brought forward, the noble Lord the Vice President of the Council observed that they were mainly based on assumptions and theories; and he met those assumptions and theories by the statement that the country was not yet prepared for direct compulsion. My chief duty to-day will be to show, in addition to what I thought were the strong evidences of public feeling which I brought forward last year, what circumstances have occurred since which prove that the opinion of the country is rapidly tending in the direction of my Bill. I showed last year that there were large classes of people who had expressed themselves strongly in favour of compulsion, and amongst others I instanced those whom I thought I was entitled to call the leaders of the agricultural labourers. The noble Lord the Vice President of the Council met that argument of mine by stating that I had

> "cited the opinion of certain delegates of agricultural labourers who recently met in Birmingham; but when these men found themselves in a town where the most enlightened Liberalism was supposed to exist, it was not surprising to find them yielding to the blandishments of gentlemen who told them that there ought to be universal school boards."—[3 *Hansard*, ccxxiv. 1604.]

Now, Sir, I thought at the time that that was an insinuation scarcely worthy of the noble Lord; but I made inquiry from the Secretary of the National Agricultural Labourers' Union what were the real facts of the case. He assured me that the resolutions passed at the Birmingham meeting were prepared by the men themselves, and would have been carried wherever that Conference had been held. I am glad to be able to say that I had an opportunity in the course of the autumn of corroborating this statement of the Secretary of the Union, for another Conference of these same delegates was held at Oxford—a town where certainly the influence of the Birmingham League is not likely to be felt. The House must remember that these delegates on that occasion numbered between 60 and 70, and were deputed by the branch societies of the Union, which branch societies exist in the Midland, the Western, and Southern counties of England—counties mainly, if not exclusively, agricultural. These deputies were instructed by their societies to bring certain subjects before the Conference for discussion; and I shall read to the House three instructions, given to the delegates by different branch societies on the occasion of the meeting of the Conference at Oxford. The Cirencester branch instructed their delegates to bring this question forward—

> "That the failure of the Agricultural Children's Act be discussed at the Conference at Oxford, and that the Prime Minister be memorialized to employ such machinery as will give effect to the Act."

From Dorsetshire the delegates were instructed "to see that the labourers' children be educated and that education be made compulsory with school boards where practicable." From Luton, Bedfordshire, the following was sent up:—"That steps be taken to secure the compulsory education of labourers' children." There was thus evidence of a strong feeling in various parts of the agricultural districts that the question should be discussed at the Conference, and that compulsory education should be advocated. Upon this a resolution was brought before the Conference—

> "That compulsory attendance at school should be enforced by means of school boards or some other bodies."

That resolution was discussed during a period of more than two hours. The discussion was of the most animated character, and the resolutions that were arrived at were unanimous. In the first place, they struck out of the proposed resolution the words "or other bodies." Then they added other words to the resolution, and it was ultimately carried in this form—

> "That education should be made compulsory, that it should be secular and free, and that compulsory education should be carried out by means of school boards."

Now, Sir, I do not think that it is possible that there could be any more distinct or stronger opinion on the part of the agricultural labourers than that which I have just stated. I told these men that the noble Lord the Vice President of the Council doubted whether they entertained that opinion, and that I was anxious that they should give a most unbiased opinion of their own, so that I might state it in the House of Commons. I do not mean to say for one moment that the opinion of these leaders of the agricultural labourers—of these delegates — is necessarily the opinion of every agricultural labourer throughout the country; but what I do contend is this—that there is a sufficiently strong feeling amongst those who guide the opinions of the agricultural labourers in favour of direct compulsion to justify the House in passing such a measure. I do not believe that there would be any more opposition to the working of the measure in the agricultural counties than there has been in the towns. There is another evidence of the progress which this question has made since last year which will, perhaps, have more effect than that which I have just quoted with some hon. Members on the other side. *The School Guardian* is the organ of the National Society. The National Society has, of course, been invariably opposed to me, and has generally taken almost diametrically opposite views to mine; and yet on this point we are agreed. *The School Guardian* continues to advocate direct compulsion, and that it should be extended to the agricultural districts. Not only so, but a very large deputation waited upon the noble Lord the Vice-President of the Council a few months ago, headed by the Archbishop of Canterbury, and consisting, among others, of no fewer than nine Bishops. In the memorial which they presented to the noble Duke the President of the Council, there was a clause advocating the extension of direct compulsion to the agricultural districts. Well, we have further evidence of the progress of this question. I have been very glad to see during the Recess that some Conservative Members have thought that the time has arrived when they might advocate this question in Parliament, and support a Bill for the establishment of universal compulsion by machinery which they prefer to my own. That Bill has not been laid on the Table of the House, in deference, I presume, to the plan of the Government; and no doubt they are quite right in not bringing forward a Bill, as probably their views will be carried out fully and satisfactorily by the Government measure. We have had a Report from the Committee of Privy Council on Education since the last discussion on this question. That Report contains 18 Reports from Her Majesty's Inspectors, and amongst these no fewer than 16 refer to the question of direct compulsion, and they refer to it in a tone of so much directness and distinctness as to enable me almost to say that the opinion of Her Majesty's Inspectors is universally in favour of direct compulsion. There is still another matter which bears directly on this question, and which the House, I am sure, will consider of still more weight than anything I have said. The present Government not being satisfied—and no one could be satisfied—with the Agricultural Children Act — and wishing to have more information upon the working of the Factory Acts generally determined to issue a Royal Commission to inquire into the operation of these Acts. This Commission was appointed in the earlier part of last year, and we have lately had the Report laid upon the Table. That Report embodied a strong and unanimous opinion on the part of the Commission in favour of direct compulsion. The Commission state that the Agricultural Children Act has been a failure. and that it ought to be considered as supplementary to a system of direct compulsion. Well, Sir, I think it is clear from what I have stated that however much I may have failed in the opinion of the noble Lord the Vice President of the Council to establish my case last year, the evidence is now nearly overwhelming that the time has arrived when the principle of direct compulsion may be safely extended to the counties. Now, Sir, I will give some evidence to show that we have further facts with reference to the school board system which demonstrate that there is reason to believe that this machinery for the enforcement of compulsion is becoming less objectionable, if not more popular, even, in the agricultural districts. The great argument that was used against school boards last year, which has generally been felt to be a serious one, was the argument of cost. Very exaggerated notions exist in the minds of many people with reference to this point. Certain exceptional cases were reported, and were much talked about where the cost of school boards had amounted to 1*s.* or 2*s.* in the pound; and frightened, at what after all were merely exceptional and small cases, many people adopted the notion that it was impossible to apply the school-board system without an enormous increase of the rates. I stated last year that that was entirely a mistaken notion, and I quoted the figures of Mr. Huxtable, the Chairman of the Charles School Board, in Devon, who went to the noble Lord the Vice President of the Council to establish the fact that these charges were enormous, but who however quoted figures which showed that the cost of electing school boards only amounted to ⅙ of 1*d.* in the pound. I also quoted figures to show that the whole cost of school-board compulsion, where there were no schools to maintain, did not exceed on an average 1*d.* in the pound. That I put down as the total cost of carrying out my Bill. If hon. Members will refer to the Report of the Committee of Council which was placed in their hands last summer, they will find that there are tables given there which contain an analysis of the cost of all school boards. They will find there, if they look at columns numbered 1, 3, 4, and 5, that there are 75 school boards where there have been no expenses incurred for the maintenance of school-board schools; and where we may assume, therefore, that these expenses were solely on the ground of compulsion: these school boards had an average expenditure of 1*d.* in the pound, a remarkable confirmation of the figures which I myself gave last year, and which I collected from private sources. Beyond that, they will find in these tables that there are 182 civil parishes where elections have occurred for school boards; and that in these 182 parishes, where the elections for school boards took place last year, the average cost of the elections amounted to only a ½*d.* in the pound, or at the rate of ⅙ of 1*d.* per annum, an exact confirmation of the figures which I gave last year with reference to the cost of these elections. If that really be the average cost of enforcing compulsion under such a system as that advocated in my Bill, it is very unreasonable to bring forward this question of cost as being an argument against the Bill of so great magnitude as to make it utterly unacceptable to the House; but there are two Reports in that Blue Book which are of such an interesting character that I am sure it would repay any hon. Member for the trouble of reading them. The one relates to a country school board, and the other to a borough school board. At page 111 the Inspector reports that in the borough of Stockport, where they have a school board, but no board schools, there has been an increase in the average attendance between the years 1870 and 1874 of 68 per cent, and that there has been a decrease in the same period of juvenile crime of 53 per cent. This has been effected by means of a school board elected under precisely the same circumstances as all those school boards would be which I advocate under this Bill—a school board for carrying out compulsion where there would not necessarily, and, certainly, very rarely, be any board schools. The cost of this magnificent work in Stockport was 1*d*. in the pound. Can we wonder at *The School Guardian*, the organ of the National Society, saying, in reference to this matter, that this was a model school board? In the article referring to this question the journalist says that, out of 7,482 children in Stockport between the ages of 5 and 13, there were no fewer than 7,321 upon the rolls, or nearly every child in the borough; and that the Government Grant which in 1870 was at the rate of 10*s*. 1½*d*. had increased in 1875 to 14*s*. 6¾*d*., through the beneficent operation of the working of compulsion. Not one single denominational or Church school was injured by it; they were benefited by an increase upon the average attendance, and by an increase of nearly 35 per cent in the Government Grant for schools. Yet, I am told that my Bill, which proposes to extend the operation of such a law to all the agricultural districts, is a Bill that, in the language of *The Standard*, is "reckless and violent." Now, let us take an agricultural village, or civil parish, which is the kind of district to which my Bill mainly refers, because it is in the agricultural districts that we have very few school boards. In the parish of Hanslope, in Buckinghamshire, on the 9th of May, 1873, there were 270 children of what was, under their school board bye-laws, school age — namely, from 5 to 12. On the 9th of May, 1873, the attendance at their schools was 272—that is to say, more than the total number of children of school age in the parish. In that case, the cost of the school board, exclusive of the expense of maintaining one of the schools, was only ⅜ths of 1*d*. in the pound. But I am inclined to think that in the agricultural districts—and I have always said so—the cost of enforcing compulsion under such a Bill as mine would be less than in the towns, and less than 1*d*. in the pound. I refer to these cases to show that my arguments were not, as the noble Lord the Vice President of the Council said, mainly based on theories and assumptions. I am not assuming anything here—I am quoting the Blue Book. This Report with reference to Hanslope, at page 128, contains a full account of this school board. It shows that there are upwards of 270 children in the parish, and that of these there were 201 in a board school. The total cost of these 201 children, being ⅘ths of the whole, only amounted to a rate of 2⅛*d*. in the pound. The interest on the loan raised for the erection of the board school amounted to 1*d*. in the pound, and the cost of the school-board officers was ⅜ths of 1*d*., making a total of 3½*d*. in the pound. Suppose that, instead of having 201 children in the board school, they had in that school every child in the parish, the total cost of the board school, of enforcing compulsion, and of the officers of the board, would not have amounted to more than between 4*d*. and 5*d*. in the pound. If this is the case, why are we told that the expense of these school boards must necessarily be so enormously great as to constitute an insuperable objection to them? On this board there are now two working men out of five members, and I understand that these working men are quite as anxious to carry out the compulsory bye-laws as the rest of the board; and that, in fact, they have taken part in having a notorious offender brought before the Courts and punished for not sending his children to school. There is another point which I wish to bring before the House, and which I think is of some importance. In the Bill to which I have made reference, and which has been prepared by certain hon. Members on the other side of the House, there is not only a clause extending compulsion to the whole of the country; but it is provided that the power of enforcing compulsion shall be placed in the hands of representative bodies. Now, Sir, I think that that is a very important fact. [Viscount SANDON: May I ask if that Bill is before the House?] It is not a Bill before the House; but it has been prepared by hon. Gentlemen on the other side of the House. I referred to it before, when several hon. Gentlemen now in the House were not present.

An hon. MEMBER: I rise to Order. I wish to know if it is not out of Order to refer to a Bill which is not before the House?

MR. DIXON: I will not refer to it as a Bill. I will simply refer to this fact, that in the opinion of certain hon. Members on the other side of the House, the proper machinery for enforcing compulsion should be existing representative bodies. That is a point of considerable importance. The House will remember that the hon. Member for Stafford (Mr. Salt) brought in a Bill last year which was based upon the same idea. I do not think that hon. Gentlemen need be ashamed of having taken part in a movement of this kind. It is an opinion that has the sanction of the organ of the National Society. *The School Guardian*, a short time ago, being aware that this opinion was entertained and was going to be advocated, had a leading article on the question, and reviewed the various methods by which direct compulsion might be enforced. It dismissed such methods as employing school managers, the magistrates, or the police. It said, I think, and with great reasonableness, that it would be highly objectionable to those persons themselves, and not advisable in the interest of education. The article went on to advocate the exercise of compulsion by existing local authorities, such as Town Councils, Improvement Commissioners, Local Boards, and Boards of Guardians. I would ask the attention of the House to the reasons that were urged by the writer of this article in favour of this course. He said, firstly, that there would be no unnecessary expense; secondly, that the delicate duty of compulsion would be devolved upon bodies which enjoyed more or less local confidence, in consequence of their being of a representative character; and, thirdly, that they possessed ample means of informing themselves of the circumstances of defaulters. I could not express my own opinions in better terms. I think that these reasons are most conclusive; but, in addition, I might say that the large deputation which waited upon the noble Duke the President of the Council, in February last, expressed an opinion that compulsory attendance, with proper safeguards, should be promoted in places where there was no school board, and that power should be given to existing authorities to enforce the attendance of children at school. I presume that they meant the existing local authorities. It is most natural that the clergy should object to the power of compulsion being placed in the hands of the managers, and that they should have come to the conclusion expressed in this statement. We are now, I think, becoming much more united in opinion upon this matter. The more it is discussed the more I think we shall find that there is a strong opinion not only that there should be universal compulsion, but that the power of enforcing attendance at school can only with safety be placed in the hands of representatives of the parents of the children who are to be compelled to go to school. If we have advanced so far as that, I would take the opportunity of saying that, for my part, I have never been unduly prejudiced in favour of school boards, as they exist now—of the particular form and constitution of school boards which my right hon. Friend the Member for Bradford (Mr. W. E. Forster) adopted in his Bill of 1870. I thought there were certain objectionable features in them, but I knew that Government had very well considered these details; and, therefore, I did not think it was necessary to strongly resist the propositions that were made. But it always appeared to me that it was a great advantage, in any district, that there should be only one Governing Body, and not a multiplied number of Governing Bodies. I still hold that view; and I should be very glad if, in our boroughs, all the powers of the Town Council, the School Board, and the Board of Guardians, were thrown into one body, and if, in the country districts also, we could have one broad Governing Body into which you could throw the duties of administering the affairs of the whole locality. But I do not shut my eyes to the fact that, although theoretically this is the best plan, yet it will be some years before the slowly-moving English people will arrive at such a consummation; and, therefore, in the meantime, I am quite willing to adopt such forms of local authorities as may be suggested by Governmental Departments. Well, Sir, this was my opinion at that time, before the Bill of the right hon. Gentleman the Member for Bradford was brought before the House. I specially advocated that the duties and powers of the school boards should be invested in Town Councils, or in bodies appointed by Town Councils. At that time, I was quite aware of the difficulties and objections to having a separate body for this purpose. Then, there was another point, which always struck me as one of great doubt, in reference to the constitution of school boards; and that is the exceeding smallness of the area. I was always in favour of a larger area, because I thought that we should get a more efficient staff of members on the board, also that the cost would be less, and the government more effective. But, then again, there were admirable reasons given why that should not be the case; and in the end the small area, in the Act of 1870, was approved by the Council. That being the case, I would remind hon. Members that, if we could only get into Committee, and discuss the question as to the body who should be entrusted with these powers, taking into consideration what is to be said on all sides of the question, and then arriving at a decision upon it, I think that hon. Gentlemen would see, after all, notwithstanding even the arguments I have myself brought forward, that there is something to be said in favour of school boards. In the first place, they exist. They have been commended by a great Department, and they have worked with fair success in the boroughs. They exist, and it is awkward to have two different bodies to work out the same law. That, I think, would be an objectionable mode of working. But besides that, there is this to be said in favour of the school boards: they do really directly represent the parents of the children, whereas Boards of Guardians and other local authorities are elected by a different constituency—a constituency derived from those who are employers of labour rather than from the labourers themselves. We must also remember that not only do the school boards, as constituted in the Act of 1870, exist already in a large part of the country, but that it is exceedingly difficult to find any other body both able and willing to undertake the duty. It was proposed some time ago that the Board of Guardians should have this power conferred upon them; but they very soon showed that they did not think themselves fit to undertake it, and they were unwilling to exercise the power. In that case, some other body must be selected as the constituted authority for carrying out these compulsory powers. But whatever representative body may be selected, I think it is essential that we should confer upon that authority all the present powers of the school boards. I say that for two main reasons. One is this—when you come to enforce compulsion, under my Bill or any similar Bill, in those districts where there are no school boards, you will be met by a difficulty which I will call the Nonconformist difficulty. It is not my difficulty, because I am not a Nonconformist; but I am closely allied to Nonconformists, and I know what their feelings are upon this subject. You are going to enforce compulsion in districts where there are no board schools, and in most of those districts there are only Church schools. You are going to say to the children of all the Nonconformists in those districts—"We are going to compel you to attend the Church school, and as there is a Conscience Clause, we do not think you have any grievance." Now, Sir, the Nonconformists do not take that view of the matter. We cannot, and we shall not, be able to convince them that the Conscience Clause is a sufficient protection for them, and therefore, in my opinion, there will be a liability, to say the least of it, to dissatisfaction at the working of the powers of such an Act. There should, then, be some protection afforded to them. We know there is very frequently, throughout the agricultural districts, a strong disposition on the part, especially of the clergy of the Church, to use the influence which their position gives them to constrain children to go either to the Church, or to the Church Sunday school; and it is the use of that influence for that purpose to which Nonconformists so much object. A case occurred the other day at Cricklade, not by any means an exceptional or solitary case, because the same spirit that pervaded the managers of the schools at Cricklade has developed itself in many parts of the country. What occurred at Cricklade was this—the children of the Church school there were invited to attend at a distribution of prizes, to be followed by a feast. The Nonconformist children attended with the others, with the hope that there was some treat in store for them. They were placed in a separate part of the schoolroom. There were no prizes for them, because they were not Church children; and when the time came for feasting, they were informed that the hour had arrived when they were to go home; and so they went hungry away. There was great indignation felt at this, and there was a tremendous demonstration got up to give these Nonconformist children some compensation, and to protest against the narrow-mindedness of the clergy. This shows the feeling which exists on the part of the clergy, who are anxious to make use of the power they possess in their day schools, in order to influence, if not to force, all the children, including the children of Nonconformist parents, into their Sunday schools, or into their churches. Now, I think there ought to be some protection against that. I am quite sure that the Nonconformists throughout the country entertain a strong feeling upon this subject. I have been in communication with a great number of them during the Recess, and I find that they will strenuously resist any effort to impose and exercise this compulsory power throughout the agricultural districts, unless there be protection on the part of the school board. That protection, they suggest, might be used in this way. If such cases as this at Cricklade did arise, the school board might say—"The school is not what the Act means by a 'suitable' school for these children, and therefore we will afford them that protection which the Act enables us to give by providing for them a suitable school." I do not think that would have to be done, because the knowledge that it could be done would be sufficient to prevent clergymen of strong feelings carrying out their views to the extent I have described. But that protection is what I think the Nonconformists may fairly ask for; therefore, I think that the full powers of the school board ought to be given to the body entrusted with the powers of compulsion. But there is another educational reason in favour of that proposition. I believe there are many schools, as I explained at great length last year, which are not in a flourishing condition for various reasons. Their finances are inadequate to the proper maintenance of the schools in a state of efficiency, as required by the New Code, and by the opinion of the country. The difficulty of finding a sufficient amount of money to carry on their schools is alleged to be a hindrance to education, and it is probably an increasing difficulty; and I believe that many of the managers of these schools would be very glad indeed to transfer them to the school board, if a school board were there; and that such a transfer would be to the advantage of all concerned. The children would gain by having a more efficient school, and thereby education would be promoted. Now, if the managers wish that—if the clergyman is a party to it—and if the school board is willing to take such a school for the purpose of making it more efficient—why should we prevent that from being done; why should we object to it being done? The children will not suffer, education will gain, private interests will be respected; and, therefore, I think that, if you gave the full powers of the school board to the body to be entrusted with compulsory powers, you would then enable them to do that which would be a very great benefit to education. Well, Sir, I have already mentioned that *The Standard* newspaper has expressed an opinion that my Bill is a reckless and violent one. I should not make reference to what is stated in the newspapers, if it were not that I am afraid there is a mistaken notion abroad as to what my Bill really is. *The Standard* says that—

> "Every proposal coming from Mr. Dixon must be regarded with vigilant distrust and obstinate suspicion."

I invite criticism, but I do not think I deserve distrust and suspicion. But is it true that this Bill is a reckless and a violent measure? What is it? And I would ask the House to consider, not only what it is, but what such a Bill, coming from such a quarter as the National Education League might have been. This Bill is a Bill for the purpose of carrying out direct compulsion in the agricultural districts, and that is a measure about which there is a general concurrence. [An hon. MEMBER: Where?] Well, everywhere. It is carried out in the towns now. ["No, no!"] Is not compulsion carried out in our large towns? Then, the Bill proposes as machinery for carrying out compulsion by school boards, or some representative body. This machinery, as I have already shown, would not cost the country more than 1*d.* in the pound; and anyone who will reflect upon the probable operation of the Bill will see that it is very unlikely, for some time to come, that there will be many transfers made under it. I think there will be some, for the reasons I have mentioned; but, in all probability, the number of transfers at first will be small, and the absorption, as it is called, of the voluntary schools in the national system will, under this Bill, be very slow and very gradual, and will never take place, except when there is an agreement among all the parties concerned. In reference to existing schools, the Bill gives no power to interfere with them. You cannot enter the school, you cannot control the managers, and you cannot injure it in any way whatever. I would also say that there is no attack whatsoever made in this Bill upon the religious teaching in our elementary schools in the country. The subject is not referred to, and it cannot be brought forward as being, in any degree an emanation from this Bill. But, Sir, what might I have proposed to the House? There is one thing I might have proposed—perhaps I ought to have proposed it, at any rate some people think so—namely, that, for the protection of Nonconformist children, which, in some parts of the agricultural districts, are a numerous body, there should be a board school within the reach of every child. That proposal is one which was made years ago by the Wesleyans; and I do not think there is anything unreasonable in making such a proposition. At any rate, what was said during the discussions on the 25th clause by the right hon. Gentleman the Member for Bradford, and quoted throughout the country, about the right of children to choose the school to which they could go for that kind of teaching which they preferred—I think that right of choice, which was so much thrown at us a few years ago, is an indication that even our opponents think there are very strong grounds—and reasonable grounds—for saying that Nonconformist children also ought to have the right of exercising that right of free choice. But I do not ask that. I do not go so far; I am so moderate in my proposals to the House—I believe I am wise in being moderate, but still I am moderate. I might have gone further, because there are a great many people who think that the old-fashioned English rule of taxation and representation, going together, ought to be applied even to that local institution—the elementary school. And there are some people who advocate now, and will hereafter advocate, the propriety of saying that there should be no Government Grant made to any school that is not under the control of the tax-payer. But I do not make any such proposition—nothing of the kind. If I did, there might be some colour for the remarks that have been made. But I might have gone even further still. I might have said that the time had arrived when all religious instruction should be excluded from Government schools, when the schools should be purely secular, and when religious instruction should be left entirely to the action of the Churches. I believe there is a very great deal to be said in favour of that proposal. I believe that religion would gain. But I do not ask for that; because I wish to propose to the House a measure which might pass at once, as being a measure which the times and the country call for. But these propositions, which I have mentioned, but which I have not introduced into this Bill, are propositions which will come before the country, and will have to be considered. In the United States of America we find already schools that are entirely in the hands of the people. In Switzerland, in 1874, when they revised their Constitution, one of the fundamental laws of that revised Constitution was that the Cantons should provide primary instruction which should be obligatory, free, and placed exclusively under the direction of the civil authority. In the Australian Colonies they are progressing rapidly in the same direction. Therefore, when I am aware that these opinions have not only been carried out in those colonies, in America, and in Switzerland, but that they are advocated by many persons of great weight in this country—and yet when I merely ask that we shall now pass a measure for compulsion, which the country has shown itself to be fully prepared for, to be carried out by a body of representative men already recommended by the Department and adopted with the unanimous approbation of this House, and found to work well for 5 or 6 years, I think I am proposing a measure which, whatever else may be said of it, cannot be described as otherwise than a very reasonable measure. *The Standard* says that a proposal coming from me is to be regarded with distrust and suspicion. Well, Sir, it appears to me that there is something else that may be regarded by this House with distrust and suspicion; and that is, that policy of apathy and of obstruction, which prevents a great question of this kind from being actively proceeded with by the House—a question, which, I think, more than any other question that can be brought before this House, concerns the future prosperity of this great country. The hon. Gentleman concluded by moving the second reading of the Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Dixon.*)

Mr. SANDFORD, in moving that the Bill be read a second time that day six months, said, he was opposed to compulsion, not because it emanated from the hon. Member for Birmingham (Mr. Dixon); he should oppose it even if it came from the noble Lord the Member for Liverpool (Viscount Sandon). He opposed it not as a matter of statistics, but of principle, for, much as he valued education, he valued the liberty of the subject more. He believed the father of a family was the best guardian of the interests of his family; and that, though in some cases a parent might be erroneous in judgment, and in others neglectful, yet, generally speaking, the interests of the family would be better consulted by its natural head than by the State, which would be a very bad substitute. For his part he could not see how far State interference was to be carried, once it was begun. There were people who wished the State to step in and say what we were to eat, drink, and put on; and although, in many cases, individuals might form erroneous opinions on these matters, still it was far better that the State should leave to a free people the free exercise of a free, if erroneous, opinion. There was a great difference between permissive compulsion as it at present existed and compulsory compulsion, such as was proposed by the Bill. Under the present system the persons elected could consult the wishes and feelings of the district; but under the Bill before the House, they would be forced to adopt the system of compulsion, however distasteful it might be to the neighbourhood. Even now compulsion had become so repugnant to the feelings of the inhabitants that—as in the case of Devonport—the magistrates did not enforce the bye-laws, because they were so distasteful. That state of things existed in other towns in England. If anything were needed to prove that the system of compulsion was not popular it was afforded by the fact that the London School Board expenditure for carrying out the compulsory bye-laws was increasing year after year. He objected to the principle of compulsion not only as violating the liberty of the subject, but also because it was a dangerous interference with the labour market; and in reference to the point he had received a communication from the Maldon Union, begging him to call the attention of the House to it. As one of the few Representatives of the agricultural labourer in that House, he asserted that the feelings of that class were very much opposed to compulsion, and he contended that social progress and moral improvement would be less promoted by having a whole family in the workhouse, than by having one of the children at work instead of at school. The principles that he advocated were those avowed some years ago by the right hon. Gentleman the Member for Birmingham—namely, that it was the duty of the State to provide for those who could not afford it a sound education, in order that those who liked might avail themselves of it for their children, and he objected to Algebra, Latin, French, and German being taught to poor children at the expense of their neighbours. Champagne and truffles were good enough things in their way; but he was not going—neither was it necessary—to give them to paupers; but that was precisely an analogous case to teaching Algebra, Latin, German, and French to persons who did not require such instruction, and who could not afford to pay for it. Any Government which should appeal to the South of England upon this question would carry the whole of the constituencies with them. Apart altogether, however, from the principle of compulsion, the Bill was open to objection, inasmuch as it dealt with the transfer of denominational schools. Now, he had always understood by the Act of the right hon. Gentleman the Member for Bradford, that these schools were not to be swept away, but only supplemented. But the Bill under discussion would sap and undermine every denominational school in the country. He apprehended that one of the first duties of education was to teach the poor to work, and that the House had a right to ask not only which system gave the soundest, but also which gave the most religious, education. Those who were acquainted with the working of the Board system in South London informed him that its result had been to disorganize the whole of the children —the girls were unwilling to enter service, and the boys were unwilling to work. He considered it a most dangerous thing to convert a nation of labourers into a nation of clerks. There was no greater proof of the decay of a country than when its inhabitants despised manual labour. Our colonies were constantly saying—"Send us labourers, but, for heaven's sake, do not send us clerks." The hon. Member had referred to the comparative cost of the two systems; but his figures were very different from his (Mr. Sandford's). He found from an estimate which had been prepared for him that the cost of school board education amounted to £2 11*s.* 3*d.* per head, while in denominational schools the cost was only £1 10*s.* 2*d.* In the metropolis the school board rate had risen to 4½*d.* in the pound—more than double the income tax—and was likely to increase. Was that to be taken as any proof of the small expense which parishes throughout the country were likely to incur if they had these school boards thrust upon them? Such an increase must necessarily lead to a reaction against a system which taught children Algebra, Latin, French, and German at the expense of the ratepayers. He left it to hon. Members opposite to show how a sound education could be promoted by subverting denominational schools, and how universal compulsion was compatible with individual freedom.

Sir JOHN SCOURFIELD seconded the Motion.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Sandford.*)

Mr. MORLEY said, that having been from the first a member of the London School Board, he wished to say a few words on the subject of compulsion. He was glad to bear testimony to the spirit of moderation which had characterized the statements of the hon. Gentleman opposite (Mr. Sandford) who moved the Amendment, the more so as he felt that on this subject there must be some compromise on both sides if the question was to be satisfactorily settled. As some reflections had been cast upon the School Board, he begged to offer a few statistics, proving that exceeding advantage had resulted from the exercise of compulsion. Since the Spring of 1871 the total increase in the average attendance in efficient schools was 114,196, of which an increase of 35,189 had taken place in voluntary schools, and 78,607 in Board schools—whether new or transferred. In other words the increase in the average attendance had amounted to 65 per cent. It had been said that the action of the visitors had been tyrannical. Now, as member for the City division, it had been his duty to summon nearly 300 parents, to account for the fact that their children were playing about the streets; but he had never had occasion to bring one of that number before a magistrate, having in some way been able to compromise the matter. In the large proportion of cases he found those people were rather the objects of sympathy than of compulsion; and by giving the option of night-schools, half-time, or by affording a little delay, he found the parents had been induced to send their children to school. That had been the result of kindly sympathy and a desire to ease off the difficulty. But he felt something must be done to get these children into school. At the same time, he had no idea that one stereotyped system would do for the whole country, although they would have to adopt compulsion for the agricultural districts. On the whole, the School Board up to the present time had issued 4,500 summonses, of which number only 21 cases had been dismissed by the magistrate. That, surely, was a sufficient vindication from the charges of violence and harshness which had rather recklessly, he thought, been brought against the Board. It was essential that those who had to deal with the schools should be armed with power, but he also maintained that gentle and kindly treatment should always be exercised. He could appeal to the noble Lord the Vice President of the Council (Viscount Sandon)—who for two years was a member of the Board, and from whom he could say he had rarely differed —whether there had not been much time, thought, and attention devoted by the

Board to this subject, which he believed was tending very much to the solution of the question. He had no misgiving as to the ultimate success of the School Board. It was the system of the future, they might depend on it. If they could only get rid of their ecclesiastical preferences, a fit and common ground might easily be found. A good deal had been said about the expenses of the London School Board. The average expense during the six years, of which nearly one had to be worked out, would be about 1⅘*d.* in the pound. The precepts had been in 1871 something under ½*d.*; in 1872 a trifle in excess of ¾*d.*; in 1873 again ¾*d.*; in 1874, 1¾*d.*; in 1875, *3d.*; and in 1876, 4½*d.* They were now, he believed, coming to the end of their expenditure. They had a magnificent system of schools —erected no doubt at a great cost, but they were not built for a day, but for future generations; and although in some instances there might have been unnecessary expenditure, on the whole, the School Board had been most successful in these buildings, and in carrying out a system of education which it would be very difficult to compete with in voluntary schools. The teaching was sound, thorough secular teaching with the reading of the Bible and fair reasonable explanations, without Catechisms or denominational dogma. He heartily supported the Bill of his hon. Friend the Member for Birmingham, although he was not prepared to adopt it entirely, as it would require alteration in some of its details. He supported it because it embodied a principle which would be of great value to those who were seeking to get children into the schools.

Mr. BIRLEY said, he would admit that the hon. Member for Birmingham (Mr. Dixon) had shown great moderation in his speech, and it had even been exceeded by the hon. Member for Bristol (Mr. Morley), who spoke with great authority as a member of the London School Board. He hoped the tone of moderation which had characterized the debate would be continued to the end of the discussion, for he believed there was a general concurrence of opinion on both sides of the House as to the importance of some degree at least of compulsion with reference to elementary education. Above all things, it was essential that in carrying out those compulsory powers, it should be done with the greatest moderation, and a due regard should be had to the feelings and necessities of those who came under the law, for a great deal of popular dislike would have to be overcome before the people of this country would be reconciled to their use. In the time of attendance also some consideration should be given beyond the bye-laws themselves. The prejudice against compulsion was not confined to the families who were immediately subjected to it, but often extended to the neighbourhood where it was arbitrarily exercised. The hon. Member for Birmingham spoke of the small expense of school boards, but he appeared to leave out of sight the cost of the maintenance of the schools. The particular cases which had been referred to by the hon. Member were familiar to him — he had heard them all cited before in this House. The hon. Member had suggested that, in towns, corporations should have the power of compulsion. Now, members of corporations were elected simply for the ordinary municipal duties, and it would be highly objectionable to introduce into municipal elections the elements of political and religious strife. It was said that the great grievance felt by Nonconformist parents was that their children should be educated at Church schools. He thought they had long ago got rid of that bugbear, for in 1870 the right hon. Gentleman the Member for Bradford (the author of the Education measure) stated that he had found very little reason to attach any weight to such allegations. In his (Mr. Birley's) experience he had found very little reason to give credit to such a charge. He did not say there had not been cases of indiscreet clergymen; but in many alleged instances of indiscretion he believed, if they had all the facts before them, they would be found to present a very different complexion. He would only say this, that when the hon. Member for Birmingham talked of the conscientious scruples of Nonconformists, because they had not confidence even in the Conscience Clause, he must ask them to remember that Churchmen also had conscientious scruples; and, in many cases, objected to send their children to schools where there was no religious instruction. It would be well, therefore, that the hon. Member for Birmingham should induce his friends to reconcile their system of school management respecting religious education with the feelings and conscience of the country. The two principles of this Bill were the general enforcement of education and the universal establishment of school boards. He (Mr. Birley) hoped the House would not agree to the second reading of the Bill, not on account of the principle of compulsion, but on account of the proposed universal establishment of school boards, to which he could not consent. So far from believing them to be the system of the future, he doubted not that in many of them their imperfections and short-comings would before many years necessitate the calling into operation the coercive sections which were inserted in the Act of 1870.

Mr. MUNDELLA said, he had a strong conviction that that was the last time the House would discuss the Bill in its present shape. A good deal of inconvenience was caused to both sides of the House by the fact that the Government measure had not been introduced; but, so far as the principle of compulsion was concerned, it was affirmed by the House and the country, and he hoped the Government would bring in a Bill making it universal. The principle was becoming the rule in all civilized nations. France had practically adopted it; Russia was trying it; Italy had declared it part of its programme; Switzerland and Germany were making great sacrifices to raise the character of their education and make compulsion universal, the Swiss Confederation having two years ago surrendered its cantonal rights in order to effect the purpose. If hon. Members would inquire into the working of the compulsory bye-laws of the London School Board they would support them loyally in their noble and patriotic attempts to improve a large proportion of the most wretched population in the world. The Home Secretary, during the Recess, declared himself most absolutely for the application of compulsion. The most decisive evidence on the subject was furnished by the Report of the Commission on the Employment of Children in agriculture and manufactures. Four of the six Members who signed the Report were strong supporters of Her Majesty's Government, and were in favour of the present Bill. They examined 700 witnesses; they prosecuted their inquiries in both rural districts and manufacturing centres; and their conclusion was that justice, expediency, and consistency alike required that the attendance at school should be enforced by law, whether they were at work or not, and that there ought to be no distinction made between children in the rural and manufacturing districts. Surely, then, it might be said that the question of the application of compulsion was authoritatively settled; and he did not see how Her Majesty's Government could get rid of it. Those who supposed that the carrying out of compulsion meant in all cases the dragging of children before the magistrates had not the faintest idea of the way in which the work was being actually done under the system instituted by the London School Board when the noble Lord the Vice President of the Council (Viscount Sandon) and Lord Lawrence were members of the Board. He recently attended in Spitalfields a meeting of a School-Board committee, before which there were summoned 50 or 60 parents, chiefly women; their cases were inquired into with patience and kindness: the committee exercised a moral influence, the value of which was not to be over-estimated; questions of wages and means were gone into; in some cases it was arranged that the Board should pay the fees, and in others, under exceptional circumstances, compulsion was deferred and in all cases, except one, the parents were glad to do what was required of them. The one exception was a man of the Bill Sykes class, who had just come out of prison, and who set the School Board at defiance; and no one would contend that such a man should be permitted to allow his child to run about the streets. The chaplain of Newgate said—"The surest road to Newgate is the street;" and the School Board of London was doing more to keep children out of the streets and out of Newgate than any other institution. He strongly deprecated the attacks made upon the London School Board, whose members comprised the leading philanthropists and citizens of the metropolis, and he asked hon. Members not to believe the charges which were brought so recklessly against that Board. When it was remembered who the members of the London School Board were now, and that among its earlier members who began the work were the noble Lord the Vice President of the Council, Lord Lawrence, the Secretary to the Treasury (Mr. W. H. Smith), the hon. Member for Bristol (Mr. Morley), the charges that were made so recklessly ought not to be entertained; and it must be admitted that the noble Lord the Vice President had always repelled them in a proper spirit. The objections to compulsion were mainly objections to the machinery of the school board, which might be improved. He did not deny that school-board elections were too costly and frequent, not through any fault of the boards themselves, but because Parliament had not consolidated the local machinery for the purpose of local government. He could not see why there should not be one local election annually for the members of all local boards and authorities. When hon. Gentlemen urged that some other means than school boards should be adopted, he would ask whether anything like an educational police could supply that tender application of compulsion and produce that great moral result which was now brought about by the action of school boards? He might mention in proof of this, that the Sheffield School Board had been so unanimous that in six years he did not think there had been half-a-dozen divisions; and with a total absence of the ecclesiastical element—thanks to the influence of a shrewd and sensible vicar—it had had no religious difficulty. It had in six years, besides considerably advancing the status of education in the town generally, raised the average attendance from 12,000 to 27,614, which was a net increase of 120 per cent; only 937 parents had been summoned before the magistrates; and the members had founded scholarships by means of which boys could go from the board schools to higher schools. The vice president of the board was about to expend £15,000 in founding University buildings for the borough of Sheffield in connection with the school board. Could anything but a school board have brought about such results? Another instance of University extension was to be found in the fact that the secretary of the trades unions of Sheffield last winter received the certificate from Cambridge for passing the second-class examination in political economy. That was a new feature in the history of Sheffield and trades unionism, and all this stimulus was owing to the public-spirited action of the school board. Again, the London School Board had done more to benefit the metropolis than any other institution, and he was ashamed to hear complaints about its cost. He had reason to believe it had reached the highest point of expenditure at 4½*d.*, which would probably cost some hon. Members £10 and others £6 a-year. Well, they paid twice or thrice the amount in sewer rates, and in 1874 the gas and water rates amounted to 40 times the sum levied by the School Board. In fact these payments were only equal to what they were willing to spend in some trifling amusement, or for their daughters to walk in the Horticultural Gardens. It was not worthy of the House to complain of the cost of education. While the poor rates of the country amounted to 11 per cent of the property on which they were levied, school-board rates amounted to less than 1¼ per cent. Let them consider the cost of pauperism and crime. The reports of the Roman Catholic and Protestant chaplains to the Liverpool prisons showed a diminution of 35 per cent during one year in juvenile crime, and the chaplains stated that it seemed to them as if compulsory education would have the effect of minimizing, if not of extinguishing, juvenile crime, and juvenile crime led as a rule to adult crime. If this rich nation could afford to raise £100,000,000 a-year in Imperial and local taxation, and to spend £100,000,000 in drink, and could not afford to spare £3,000,000 or £4,000,000 for education it would be highly discreditable. The principle of compulsion being conceded, the Government could not now recede from that principle, and the only question was one of machinery. It should surely be that which would apply the principle of compulsion with the utmost consideration and care, and should be a representative body, and he did not think they could ever hope to apply it in that way, except by a school board. He therefore supported the Bill.

Sir JOHN SCOURFIELD hoped that he should not depart from the tone of moderation which had characterized this discussion. This moderation had been very conspicuous indeed, for it approved school boards without expensive schools, compulsion if it were adopted without being made disagreeable, and secular education provided that Bible-teaching might be introduced. In short, it seemed to him very like the play of *Hamlet* with the part of Hamlet left out. He was afraid these happy visions would not be realized, and that they were far off the time when there would be general agreement on those points. The hon. Member who spoke last (Mr. Mundella) said that the London School Board could not be accused of extravagance; but he (Sir John Scourfield) had been furnished with a list of charges which led him to a different conclusion. The amounts disbursed by the Board in enforcing compulsion and in legal expenses had grown largely, and their distribution might account for the zeal of some persons in school-board work. The expense of the London School Board was spoken of as being only 4½*d.* in the pound; but when the Education Bill was first introduced an impression prevailed, in consequence of the speeches delivered in that House, that 3*d.* in the pound would be the charge. Here, then, was an increase of 50 per cent. He should like to know what hon. Members would say if the Chancellor of the Exchequer exceeded his Estimates in a similar degree. It was very easy for the advocates of school boards to say that the expenditure was small; but was it so? It was very well for those who had not to pay for it to say so. It must be remembered that this rate was levied on a limited portion of the property of the country, and if an income tax had been imposed, it would have practically tested the sincerity of the Gentlemen who spoke of small expenditure. The voluntary schools of the country had not had fair play. The right hon. Gentleman the Member for Bradford (Mr. W. E. Forster) had said that the principle of his measure was to supplement the voluntary schools. That principle had not been carried into practice, for in many instances they had been suffocated. The demand for voluntary schools had been great; but the school boards wished to see their own system prevail. He could speak most positively as to the unnecessary demand for increase of accommodation. The provision of this extra accommodation involved a large amount of expenditure. School-houses had been erected at a large expense, and he saw that at Dorchester a school had been erected capable of accommodating 1,200 children, and that they could not get more than 600 to attend it. People talked about educational expenditure being small. In a parish in which he held a small property the proprietors had contributed in the proportion of 3*s.* in the pound for an educational purpose. He should like to see the face of the philosopher who was called on to pay 3*s.* in the pound for income tax for such a purpose. Certainly he would not be one of the laughing philosophers. Having risen to second the Amendment of the hon. Member for Maldon (Mr. Sandford), he wished to say a few words with reference to the question of compulsory powers. He had always, from the beginning, been opposed to these powers of compulsion. It was all very well to say that for the present these powers were exercised with great forbearance, but people felt that compulsion was on its trial; and that when once the principle was established a rigorous system would grow up, for it was capable of inflicting very great hardship. He had no doubt that if the compulsory system were enforced, it would be very interesting to ladies to attend on Saturday nights and see the children all washed. When people spoke of compulsion they spoke of some measure of compulsion, but it was important to know what degree of interference was implied. The question of the employment of the police had been mooted, but there would be a very general feeling against employing the police in educational matters. Such a course would bring the police into great disfavour in the country at large. If they had not the police, they must have Inspectors for this purpose; but the country had already so many Inspectors that it would hardly wish for more. He also objected to bye-laws that gave the power of imprisonment. That was a very strong measure. People often resented interference in the sending of their children to school; but he did not see why a man was to be sent to prison because he gave a surly answer, or because his manners were not agreeable. The case had recently been cited of an infant school-room which had been opened at Chelsea, where the attendance was at first five, then it dwindled to four, and subsequently rose to eleven. Could they expect that the ratepayers would submit tranquilly to such burdens when they saw that the practical results of education were so small in proportion to the expense incurred? Bricks and mortar did not constitute education. There were those who wished to pay for results; but it must be remembered that this plan might work great hardship, for it depended very much on the character of the children with whom the teachers had to deal. Altogether he did not see anything in the present system either so useful, so agreeable, or so satisfactory as to justify Parliament in giving additional compulsory powers. There was nothing more to be deprecated, or that the people resented more than minute and vexatious interference. The world was so constituted that it did not like disagreeable people, and certainly the people connected with the administration of education seemed to have the art of making themselves more disagreeable than any other persons in the kingdom, and created by their correspondence and otherwise a great and unnecessary amount of exasperation. It was very easy for an examiner to puzzle an examinee; but the examinee might be found, in many instances, to know a great deal more than the examiner. There were persons who were fond of expressing their sentiments on education in such a way that they treated others with a very great deal of discourtesy. If hon. Members desired to extend education they must respect what was the average feeling of the country; and over-interference would create a prejudice against boards of education which must prove most fatal. For these reasons he cordially supported the Amendment of his hon. Friend.

Mr. WYKEHAM-MARTIN agreed as to the evils caused when the police were employed to hunt children to school. He should not have ventured to take part in the debate, unless his own position had been peculiar. In one large agricultural parish he was chairman of the committee of management, elected in open vestry; and in another parish he happened to be the school board, or the person who represented it. One of these parishes was in Kent and the other in Warwickshire; and in one case the police were about to look up children under the Agricultural Children Act, which he regarded as a very objectionable proceeding, his opinion being that they could not employ a less desirable force than the police in such a duty. The agricultural parishes to which he referred were very small, and they had no need of police to discharge a duty which they felt they could so much better discharge themselves. The real question for the House to consider was, was education necessary for those two parishes, or was it not? He thought it was, and that the effect of the existing system had so far been highly beneficial; and he could state that so far as the work of teaching the children was concerned, they had most efficient schoolmasters and mistresses. He remembered the time when no boy in those parishes could work a sum except on his fingers; but since that time they had had boys in their schools who stood and passed with credit through competitive examinations, and one of them had taken the first place. There was, however, one great drawback which was complained of by the masters of country schools—namely, the irregularity of attendance of the children, and it was the greatest curse that the friends of the children had to contend against. They had, however, at that moment 600 children in the board school at Rochester, and it was rumoured that it was contemplated to enforce the provisions of the Agricultural Children Act. It had been said that the agricultural labourers were very anxious to have compulsory education. Well, he wished it were so; but, as far as he had observed, it was only a minority who wished their children to go to school at all. A great majority of agricultural labourers were apathetic, if not hostile; for in counties where there was a great demand for the labour of children, and where their earnings were a matter of importance to their parents, the question assumed a new aspect. In Kent, for example, where fruit and hops were grown, it was one long-continued harvest from spring to winter; and was it right to compel parents to send their children to a school in the management of which they had no voice, and the master of which they might consider inefficient? There had been extravagance, no doubt, in carrying out the Education Act, but it had mostly been in bricks and mortar. The Education Department had, for example, driven him into an expenditure of £250, when he might just as well have flung the money into the Thames. Schools had, indeed, been built for children who did not exist, but when the schools were once built that source of outlay would not recur. However, the mischief had been done, and whether a parish should be governed by a school board which would in 99 cases out of 100 consist of the same individuals who now managed the schools, or by a committee, he did not see why there should be a farthing more expense than there was before. With regard to denominational schools, it had been said that the school boards were anxious to discourage them; but he was enabled to say that while the board schools with which he was acquainted were attended by large numbers of children, the denominational schools did not seem to have lost any of their children. They were well supported, and would continue to be supported. One word in conclusion. His hon. Friend opposite complained of the Education Department; but for his (Mr. Wykeham-Martin's) part, it was only an act of justice to say that, having been engaged in almost incessant correspondence with it, he could bear testimony to the civility which he had received from the noble Lord the Vice President of the Council (Viscount Sandon), Sir Francis Sandford, and all connected with the Department. This was true also of the Inspectors, except one, and he was a savage bear whom he should not name. From all the rest he had received every courtesy.

Mr. PELL regretted the debate that had occurred that day, because the whole ground would have to be gone over again, and those who took part in the debate were like actors who were engaged in a dress rehearsal. He feared that under a school board in an agricultural district the most feeble excuses would be accepted for the non-attendance of a child. With respect to the question generally, he understood the hon. Gentleman the Member for Birmingham to take the view that school boards should be established, and that they should be managed by representative men, and men representing the parents of the children who would go to those schools, and he intended that all those boards should have bye-laws and compulsory powers. But did the hon. Member really believe that in the country districts, at all events, and in many of the suburban districts, after those compulsory powers had been in force against the working men, we should not have members of the boards elected by the parents with the object of giving effect to their own views? No board would be of much use which did not consist of men who were real friends of education. It would be a waste of time to constitute a school board without giving them compulsory powers, but he feared that the country generally was not prepared to accept this. He wished that England was like Scotland, and that there was a unanimous instinct and an inborn feeling in favour of education, such as would make a debate of that kind unnecessary. No doubt that time would come; but meanwhile it would be wise to do nothing to damage the cause of education by premature legislation. In some cases the rates, already too high, had been increased by school boards paying the school-fees of children whose parents were well able to pay them. That was the great blot of the measure of the right hon. Gentleman the Member for Bradford. As to legislation in favour of education for children employed in agriculture, he must say that they had no assistance in favour of carrying out the law. Under the Factories and the Workshops Acts, children were sent to school, whilst agricultural labourers, who, during the winter, sent their children to school, afterwards found the wages of those children depreciated by competition with children whose parents had not obeyed the law by sending them to school. It was painful to see one's neighbours breaking the law; but it was not the duty of children to support their parents, but the duty of parents to support their children. He regretted that the vote of the Premier at Buckinghamshire Quarter Sessions, when that body was considering whether the police of that district should be instructed to enforce these provisions had given certain people the opportunity of taunting hon. Members like himself (Mr. Pell) with being at variance with their Leader on this question, and he was very sorry that they did not get from those who sat upon the front bench the assistance which they ought to have. With respect to children in the country, the fact was, that the police never were employed to compel their attendance at school, and the police would exceed their powers if they so interfered. Although he was not going to vote for this Bill, he still hoped that there was in store for them some legislation, to be proposed from the Treasury bench, which would get rid of the anomalies which existed, and that there would be less difficulty in the future in insuring to children at the cost of their parents that education which was necessary.

LORD FRANCIS HERVEY, who had on the Paper an Amendment which he could not move, in favour of adopting further measures to secure the attendance of children at school, but against multiplying school boards for that purpose, supported the Amendment of the hon. Member for Maldon (Mr. Sandford). He complained that the hon. Member for Birmingham (Mr. Dixon) had taken an unusual, an inconvenient, and even a disorderly course in discussing the provisions of a Bill which had not yet been introduced into the House. The hon. Member had also placed the House in an awkward predicament by introducing his Bill, when a measure on the same subject, which had been mentioned in the Queen's Speech, was about to be brought forward by Her Majesty's Government. The Bill of the hon. Gentleman might be considered from two points of view—in the first place, it might be regarded as a measure for enforcing the attendance of children at school; and, so far as it provided for compulsory attendance, it had his (Lord Francis Hervey's) sympathetic and warm assent. The time had, in his opinion, come when the question of compulsory attendance should be taken up and settled, and he trusted that a measure having that object would shortly be carried. He was not insensible to the force of the arguments for compulsion in whichever aspect the question was viewed, as affecting society, or as affecting the individuals. It was true that compulsion was by some of his political friends regarded with dislike—and naturally so—and it was to the credit of those who looked upon it with suspicion that they should so regard it; but he must remind them that times had changed. Let them consider the matter from a practical point of view. Was it consistent, he asked, that they should have compulsory provisions in force in one district and in the adjoining district no such provisions existing? Was it not a great waste of means, and the throwing away of large sums of money, to have built schools for children, and yet not to have the children for whom they were built attending them? He knew it would be said that the difficulties and obstacles in the way of carrying out a compulsory system were so great and numerous that it could not be enforced. He was aware of those difficulties and obstacles, and believed them to be greater and more numerous than many supporters of the compulsory system were aware of. It was not, as represented by flippant doctrinaires, merely a question of school fees, or of the earnings of children; the fluctuations of trade, even the prevalence of the north-east wind created difficulties, as did also the outbreak in crowded alleys and rookeries of measles and scarlatina, which removed many children to a place where no school boards existed, and where Birmingham conceits were at a discount. It was said, too, that the compulsory system led to oppression and tyranny, and he did not deny that such was the case. Instances had come to his knowledge in the metropolis in which the school board officers had broken into the houses of poor parents, and even into the rooms of women who were ill, or had just been confined; but those objections were not conclusive against the system. Enlightened public opinion would, in his opinion, prevent an oppressive exercise of power on the part of the school boards, and they had already signs that the high-handed and arbitrary exercise of such powers would soon cease. Therefore he was prepared to see a compulsory system carried out. He now came to the second question raised by the Bill—namely, the machinery by which its object was to be carried out. The hon. Member for Birmingham proposed universal school boards. To these he (Lord Francis Hervey) had more than one objection. This country under a general system of school boards would become actually debauched by elections, of which they would have some 12,000 more every three years. Then there was the increased expense; and there were the bad feelings which these school board elections called into play. The system of school board elections had not on the whole been successful hitherto, and he could scarcely help regretting that, in 1870, the original proposals of the right hon. Gentleman the Member for Bradford were not accepted, in which case these expensive, troublesome elections with which they had been since deluged might have been avoided. He therefore could not agree with the hon. Member for Birmingham in thinking that school boards afforded the best machinery for putting compulsion into force. He would now consider the hon. Member's proposal to establish universal school boards from another point of view. The hon. Member said when objections were made to his Bill last year, that it was not school boards that he was anxious to have established, but compulsion—[MR. DIXON: I said school boards were not the principle of the Bill]. He (Lord Francis Hervey) maintained that school boards were a leading principle of the Bill, and would refer to the object set forth in its Preamble—namely, to render attendance obligatory, and for the formation of school boards. The formation of school boards was plainly of co-ordinate importance with the establishment of compulsion, and whatever the hon. Member might have said last year, on this occasion he had unmistakeably shown the cloven hoof. The hon. Member had dealt with the difficulty which he said would arise in country districts where there was only one description of school. He said Nonconformists were deeply suspicious of compulsion, lest their children should be driven into the schools of the Church of England. Well, Nonconformists no doubt entertained these suspicions on conscientious grounds; but they appeared to be, if he might so say, the most unclubable portion of the population; there was no proposal, however sound, salutary, and beneficial, which they were not prepared to resist, because of some obscure and imaginary dangers which they believed to be lurking in the background. But how did the hon. Member propose to meet their views? There was, or soon would be, sufficient school accommodation throughout the country, there was an ample Conscience Clause; but, in the face of those facts, the proposal was to build fresh schools at the charge of the ratepayers solely for the children of Nonconformists. Surely that was not a reasonable proposal. They had often been told that all bigotry and intolerance were to be found in the Church of England; but he asked, where might the charge of bigotry and intolerance be laid, when they were told they must set up side by side with existing schools other schools for a certain small number of those who did not conform to the Church of England? He could not regard the Bill of the hon. Gentleman as interpreted by himself as a reasonable Bill, and should therefore support the Amendment.

MR. A. M'ARTHUR said, he should support the Bill, on the ground that ample information had been supplied to the public proving the necessity there was that school-attendance should in all cases be compulsory. It had been urged against the Bill that it would interfere with parental authority. Well, if all parents were what they ought to be, there would be something in the argument; but there were numbers of parents who had no education themselves, who cared nothing about it, and very little about their children. Again, there were many poor children whose parents were not living; and was it, he asked, unreasonable, for their own sake, and for the sake of the nation at large, to compel all such children to go to school? Then, again, it was said that a system of compulsion would increase the rates. Hon. Members would remember that when the London School Board was established commissioners were appointed by the Society of Arts to make inquiries, and it was found that at the East-end of London, within an area of one square mile, there were, at the lowest estimate, 19,000 children growing up in ignorance, while within the same area there were 165 public-houses and 166 beer-houses, in which at least a sum of £45,000 per annum was spent. Would it not be an incalculable benefit to themselves and a saving to society if those 19,000 children, instead of being reared in ignorance, were by any means brought into school and educated? With reference to the remarks of the noble Lord the Member for Bury St. Edmund's he regretted to say that there was an equal amount of feeling against Nonconformists by members of the Church of England as there was on the part of Nonconformists against the Church of England, and he thought it an unfortunate state of affairs. In many of the agricultural districts there existed a wish that children should not be educated too highly; but by the present arrangements for school attendance, there was not much chance of their being over-educated. He hoped that hon. Members on both sides were agreed upon this—that, however it was to be accomplished, the children of the poor of this country should not be allowed to grow up in ignorance; and, believing, as he did, that without a compulsory system that most desirable end could not be attained, he cordially supported the Bill of his hon. Friend.

MR. HEYGATE said, he should oppose the Bill. The question of compulsion was by no means the sole issue which the House was called upon to decide. He would appeal to two classes of persons in that House, one of which, he considered, was compelled by every consideration of honour, and the other by every consideration of interest, to record an emphatic negative to the measure. The first class were those who sat on the Front Opposition benches. He could not understand how it was that those who acted with the right hon. Gentleman the Member for Bradford, and who persuaded the House and the country to accept the measure of 1870, could now, consistently with their past promises and the expectations held out to the country, vote for a Bill that would have the effect, if carried, of falsifying every promise and pledge then made. The late Prime Minister, speaking in July, 1870, said—

> "It was with us an absolute necessity—a necessity of honour, and a necessity of policy to respect and to favour the educational establishments and machinery we found existing in the country. It was impossible for us to join in the language, or to adopt the tone which was conscientiously and consistently taken by some Members of the House who look upon these voluntary schools, ... as admirable passing expedients, fit indeed to be tolerated for a time, . . . but wholly unsatisfactory as to their main purpose, and, therefore, to be supplanted by something they think better . . . that has never been the theory of the Government."—[3 *Hansard*, cciii. 746.]

Such was one of the pledges given to the House and the country by the late Government, without which the Bill would not have passed; and was it now to be disregarded? The alternative was offered to the supporters of the voluntary system, of complying with the new and extended requirements of the Education Department, or adopting the school board system; and what had been the result? It was this — that out of 14,000 parishes, 2,000, excluding London and the municipal boroughs, had adopted the school-board system, leaving 12,000 under the voluntary system, and in most cases they had met the new and extended requirements necessary to keep them without the operation of the Act. Since 1870 the Church of England had provided increased school-accommodation for 424,000 children, the British and Foreign School Society, the Wesleyans and other Nonconformist Bodies for 230,000, and the Roman Catholics for 77,000, making together additional accommodation for nearly three-quarters of a million of children; and the increased average attendance had risen in the same proportion. Moreover, the Church of England spent in building and enlarging schools in 1870, £101,000; in 1871, £120,000; in 1872, £367,000; in 1873, £347,000; and in 1874, £145,000, making a total of £1,100,000; and the adoption of the Bill before the House would have the effect of making these sacrifices useless, so far as they were concerned, and therefore it was that he claimed the support of the Front Opposition bench against the Bill on the faith of the promise they made in 1870. He would also appeal for the support of those hon. Members of the House who belonged to the Roman Catholic Church in opposing the Bill of the hon. Member for Birmingham. Those hon. Members were bound by considerations of the highest interest to join in opposition to the measure, for the members of their Church, who were also taxpayers, looked upon school boards as agencies which compelled them to pay taxes for which they obtained no equivalent, because they declined to send their children to schools in which religious education, from their point of view, was not afforded. If, however, what was wanted by the hon. Member for Birmingham was universal compulsion in the matter of attendance at school, that could be attained by other means than school boards, and he, for one, strongly objected to any attempt to bring about this result by mixing it up with another and entirely different question. If it were necessary to adopt a system of the kind, it would surely be fairer to ask Parliament to sanction it pure and simple, than to bring forward a measure in which it stood side by side with a proposal which was obviously unfair and most distasteful to a very large class of the community. Hon. Gentlemen on his side of the House were not less anxious than other hon. Members that their countrymen generally should reap the advantage of a useful education; but the Bill before the House was not the best method of attaining that result.

Mr. JOHN BRIGHT: The speech of the hon. Gentleman who has just addressed the House (Mr. Heygate) appears to me to have very little to do with the question mainly before us. He condemned the Act of 1870, he condemned the system of rating; and, in point of fact, I think he may be held to be one of those for the most part, and almost altogether, opposed to all that has been done with the view of establishing any public education. [Mr. Heygate said, he did not condemn the Act of 1870.] I listened attentively to the hon. Gentleman's speech, and I thought there was scarcely anything in the Bill of 1870 he approved. The Bill before the House is a very simple one indeed, and I think I may congratulate my hon. Friend and Colleague on the fact that, if there be some difference of opinion as to a portion of his Bill, and as to his machinery, there is really almost no difference of opinion as to the main object he has in view. There are two hon. Members below the Gangway on the other side who were afraid that people were getting too much education—that is, education in too high subjects; that under a system of public rates children were being furnished with what may be called the luxury of education, which it is unnecessary should be provided for them, they thinking that that which is necessary is all that a public system of education should give. I think there is a good deal to be said in favour of that view. My own opinion is, that we may make a great mistake in trying to teach too many things. What I would wish to see in this country is that every child should be able to read, and to comprehend what he reads; that he should be able to write, and to write so well, that what he writes can be read; and that, at the same time, he should know something of the simple rules of arithmetic, which might enable him to keep a little account of the many transactions which may happen to him in the course of his life. I think that kind of education would enable every young man—and every young woman, too—but I am speaking of young men—to put his foot upon the ladder, and if nature has given him faculties, if he has virtues and qualities and cultivates them, he may make further steps, and may advance himself to whatever position he likes or has the power to reach. I say my hon. Friend may be very much satisfied with the discussion that has taken place on the Bill. Nobody confesses to any objection—to any hostility to education; but judging from some accounts which we read of speeches delivered in the country districts, I believe some of the constituents of the hon. Gentlemen opposite are not yet convinced that it will be for their good, or that of the labourers themselves, that their children should be universally taught in schools. Now, there is a great dread of a modern institution called the school board. It is one of the most amusing hobgoblins that we have had brought before the public in my time, and I have seen a good many of that class. Now, why do you object to school boards? You object because they are troublesome to elect, and one hon. Member last year was very angry that having once elected a school board he found there was no power to get rid of it. You say you object because a board is troublesome to elect, and costly when you have elected it. As to the cost of the election, I agree with what has been said by my hon. Friend the Member for Sheffield, who quoted what I said some years ago. I think the whole system of election in all these things is stupid. It is not becoming a rational people or a rational House of Commons. I take the case of the constituency which I partly represent. There are, I think, about 60,000 electors there—I mean on the list—who can vote in a school board election. There may be one vacancy, and yet I believe two or three persons in the town—I forget exactly how many—can force on a contest for all that vast constituency for the election of a single member of the board. There was an election not long ago for two members, and I am not able to say the sums paid, but I heard an estimate passed last time I was in Birmingham of the amount that was paid in that election by the three parties who had candidates in that contest. That is a thing which Parliament can, if it pleases, easily get rid of, and hon. Members opposite will find Members on this side of the House perfectly willing to unite with them in any reasonable mode that will be a great improvement on the existing mode. As to the cost when the board is elected, that is entirely a question of what the school board does. If there is nothing to do there is no great cost. In the town in which I live, and in which there are probably 70,000 inhabitants, we have had a school board from the first, and during the whole period it has not yet, I believe, built one single school. The reason is, that it was found that the schools within the borough of Rochdale were so numerous—some under the auspices of the Established Church, others under the care of the various Nonconformist sects—that there was no occasion to build other schools. What the school board has done has been to take over the British schools and two or three others—I do not recollect precisely the number; but the whole educational wants of the town are apparently provided for. But if education be a good thing, and if you propose to offer it to your population, as a matter of course, it must cost something. Does not everything cost something? If you have new roads, they must cost something. Would that be an argument against having a highway board? If you have gas, water, or sewerage—if you have any of those things which make life comfortable and possible, of course something must be paid for them, and it is so with regard to education. I cannot help telling hon. Gentlemen opposite that I think for the last four or five years they have made a great mistake on this question of what they call local taxation. I do not like local taxation any more than they do, or their farmers do. A Bill passed the House only three Sessions ago, which, by the extension of the boundaries of my borough, included within it some land and considerable manufacturing premises of which I am part owner, and which are in the employment and possession of the firm of which I am a partner. I did not oppose that Bill. My name was on the back of it. There were other parties in the town who did oppose it. But that Bill brought upon us an increase of rates of certainly more than £300, and I think nearly £400 per annum, because it brought us within the limits of the borough, we being before outside it. What a howl and what a cry would have come from hon. Gentlemen opposite if they had been treated by an Act of Parliament in that manner. But it was necessary for the borough that the extension should take place, and thus some who happened to live within the limit proposed to be included were brought within the borough, and brought within a considerable number of rates from which they had hitherto been exempt. Hon. Gentlemen opposite—I am afraid for the purpose of using it against us as a political weapon when we were on that side of the House—made a great outcry on the subject of local taxation, and they have made it as impossible for hon. Gentlemen who sit on that side now to treat the question as they ought to do, as they made it impossible for us to treat it some years ago. I know perfectly well that landed property is of more value far than ever it was before. You know the produce of all your land—that which your farmers grow upon your land is in some cases 50 per cent more valuable than it was 30 years ago, and in other cases even higher than that. ["No, no," *and* "Hear, hear."] I am not speaking of quantity, I am speaking of price, and that is 50 per cent higher than before. There is no doubt about it. You know it yourselves, and there is no man who can deny it. The only article of produce in which that rise of price has not taken place is wheat. I say then that in view of all this there was no necessity for this outcry, and that it was rather a political outcry than one based on a fair consideration of the facts of the case. You made it a weapon of warfare against us, and now you put your Leaders and your own Government in such a position that they can scarcely deal with one of the greatest questions that is before us on account of the ignorant outcry which you have raised in your own counties. ["Oh, oh!"] It is a fair question for discussion whether the education we give, be worth the price the country has to pay for it. With regard to the school boards, let me ask hon. Gentlemen whether it is not something in favour of their being made universal that the Act of 1870 was passed, and that the Parliament of 1870 established a school board system as the machinery by which the Education Act was to be worked? That system has been established now in all the boroughs of the country with but few exceptions, and is it not an additional argument in favour of school boards that this system which Parliament found so good in 1870, has been found to work admirably in all the boroughs of the Kingdom? If it had failed in the boroughs, of course the noble Lord would have been foolish to have suggested, as I should be foolish here to defend, an extension of the school board system to the counties. But you know perfectly well it has succeeded admirably in the boroughs. I am not speaking now of the mode of election, but of what the school boards have done since they have been established. And I venture to say there is no Member of this House who has had any practical experience of the working of school boards who will not be forced to admit that, looking at the question of compulsion as one of great delicacy, it would be impossible to point to any other kind of machinery, or any other power, that, in an interference in families between parents and children, would have been able to conduct the whole transaction connected with the compulsory sending of children to school better, or so well, as it has been done by the school boards. And it stands to reason that it must be so. Whom do we trust most? Why, somebody we have elected to do our work, of course. The ratepayers elect to the school board, and the school board is the representative of the ratepayers. It consists of gentlemen who have the confidence of the ratepayers, or else they would not be elected. Those whom they have elected, forming the Board, can all feel the pulse of their constituents; they know exactly the state of opinion in the district with which they are connected, and they can carry out their operations with regard to the forcing of children to go to school with the amount of pressure, or the amount of delicacy, which exactly meets the necessity of the case, and in a manner, I undertake to say, which it would be impossible to do under any other kind of machinery which might be established. Do not suppose my hon. Friend and Colleague would regret much to see some good system of compulsion established, if it were possible, on some other basis, and by some other machinery. The noble Lord the Member for Bury St. Edmund's (Lord Francis Hervey) has said a good deal against compulsion, and as much against this Bill. If he will bring forward any plan, or if the noble Lord the Vice President of the Council will bring forward any plan, I think I can promise that hon. Gentlemen on this side of the House will give perfectly fair and impartial consideration to that plan. School boards may not be the best plan; but we are not wedded to school boards. If you can produce one better, or as good, I, for one, for the sake of unanimity and the general concurrence of the House, will be ready to accept it. But I believe that as Parliament adopted the school board plan in 1870, as it has been tried in almost all the boroughs in England, and is being tried universally in Scotland, and as there is no complaint from either England, Wales, or Scotland, of the failure, misconduct, or want of success of a school board, then, I say, these things are strong arguments why we should ask Parliament to extend the system of school boards; and I say my hon. Friend would have been much to blame if he had introduced a Bill without asking the House to confirm that which a previous Parliament and which experience has proved to be a wise method of procedure. Some hon. Gentlemen opposite seem to have a lingering dislike to what was done in 1870. I was surprised to hear from an hon. Member an attack, which I think he would not have made if he had understood the question, on the London School Board. My hon. Friend the Member for Bristol (Mr. Morley), in a short and admirable speech, communicated facts to the House which were an answer to that attack. I am one of those who, looking back to the Act of 1870, have no hesitation in saying that I thought then, as I think now, that it was a great measure with some great deficiencies. Perhaps those deficiencies were inevitable from the state of opinion in the country and in the House; but if we look at the effect of the Act as regards London alone—if it had applied only to this the chief city of the United Kingdom—I say its results are such that my right hon. Friend (Mr. W. E. Forster), who was mainly entrusted with the carrying of the Bill through Parliament, ought to be eminently satisfied with the work which he did during that Session. I went last year with the present Chairman of the School Board, Sir Charles Reed, and with Lord Lawrence, who preceded him in the office of Chairman, to Bethnal Green, in the East End of London, and we spent a morning in looking through two of those magnificent schools which have been erected in that district. We went through all the rooms; we saw the principals and the subordinate teachers, and we saw all the scholars, to the very smallest, and I think we saw some of those poor little blind children to whom something was being attempted to be taught. We saw some of the children exercising in the yard as we came out, and I confess I did not know whether most to rejoice or whether to weep. I could rejoice to see what I had seen, and what is now being done. I could have wept at the thought that for so many generations children of this class in this country and in this City have been almost absolutely and totally neglected. It is a common thing to talk in a slighting way about Nonconformists. I think, if I heard aright, I heard the noble Lord who has spoken in this debate (Lord Francis Hervey) say they were "unclubable" people. I do not exactly know what that means; but I know what has been done, and what is now being done. When I think of what has not been done in the past, my mind for a moment wanders across the ocean to that part of the American Continent which goes by the name of New England, and especially to the State of Massachusetts. The men who went over there were Nonconformists, and 250 years ago they established a system of education as perfect and complete for their time as those great schools are perfect and complete now in London. There have passed through those schools in 250 years no less than eight generations of children, who have had the advantages of an education as good, for the most part, as that you now pretend to give, and, for the most part, as they needed. In the same period during which those eight generations of children have been taught, the humblest and poorest people of this city have been almost entirely uneducated, and as I remembered that I hardly know whether it is a time to rejoice or a time to weep. I have never looked back upon my visit to those schools without thankfulness that the Parliament of England has at last done something in so great a matter—something that our forefathers ought to have done before us—something that our children and posterity after us will be proud that we have no longer neglected, and that we have attempted to do it in our day. The noble Lord the Vice President of the Council will shortly address some observations to the House. He cannot have listened to this debate without feeling that there is a general concurrence in the House in favour of getting, if possible, all these children to school. He knows very well what has been done in towns, and it seems to me that it must be much easier to get compulsion in the rural districts than it is in towns. In towns there are thousands and thousands of children who have never been subjected to any kind of discipline, or who have enjoyed any kind of decent home life. But in your agricultural districts that is not so. Families are not so crowded together; children are not so outcast and neglected; and I should think it will be far more possible, and far more easy to establish and work a system of compulsory education in agricultural districts than it is in the great towns. It may be that some hon. Members fancy—I believe that there are some farmers who do think—that if their labourers are taught, they will be worse labourers. I will not stop now to argue that question. The country has decided that education shall be made a great public matter. Parliament has passed a great measure for the purpose of promoting it, and it is at work almost universally through all the great centres of the population, and throughout all the towns of the country. I think it is obvious that it cannot be allowed to be a dead letter in the agricultural districts—in the counties which so many hon. Gentlemen opposite represent. The noble Lord the Vice President of the Council is about to bring forward a measure on this subject—perhaps he will not explain its provisions now, though he may tell us something if he likes; but I think it would have been a good thing if it could have been introduced before Easter, so that the country might have had a little time longer to consider it. I ask him, I entreat him, when he determines what shall be the nature of that Bill, to bear in mind the tendency of this discussion—that as far as compulsion is required the House is willing to adopt it—that compulsion can only be carried out in some distinct and definite mode—that you have a mode distinct and definite in the boroughs, which Parliament established some years ago—and that if Parliament were now to deal with it again, with the additional evidence of five or six years' experience, it is not likely that it would go back from that system. We, in the boroughs, knowing what that system is, are honestly willing to help hon. Gentlemen opposite to carry out in their counties what we have got in our boroughs. If they cannot produce a plan better, or any plan so good, I hope that they will have the courage to say that the system which has been so successful with us may be successful with them, and that the noble Lord may, without fear of opposition, ask this House and Parliament to accept a Bill which, in principle, is the same as that which my hon. Friend has offered to the House.

Viscount SANDON said, he had heard with regret that part of the right hon. Gentleman's speech in which he referred with severity to what he had called the ignorance of hon. Gentlemen who were opposed to his views on this question.

Mr. BRIGHT, in explanation, said, he had not referred to the ignorance of hon. Members of that House, but to the ignorance which existed in some of the constituencies.

Viscount SANDON said, he was glad to have drawn the explanation from the right hon. Gentleman, because, as he apprehended the words of the right hon. Gentleman, they formed the only discordant note in the discussion, as he understood the right hon. Gentleman to have spoken of the ignorance of hon. Gentlemen opposed to him on the subject of local taxation. He congratulated the House upon the calm, moderate, and friendly tone which had pervaded the debate—a debate which he should not continue at any length, because it would be contrary to rule to enter lengthily into a discussion of the education question in all its breadth and fulness before the Government measure was laid on the Table of the House. The right hon. Gentleman had, as a matter of fact, in his closing sentences, "let the cat out of the bag" when he asked him (Viscount Sandon) to give a hint as to what the Government measure would be. He had been subjected, during the last two months, to a great amount of that kind of inquiry. Hon. Members in society and in the Lobbies frequently opened a conversation with him with reference to the weather, and then artfully endeavoured to ascertain his opinion by saying abruptly—"I suppose such and such a proposition will be contained in the Government Bill on education." He had of course to steel himself against these allurements, and he could not therefore on the present occasion succumb to the attack of the right hon. Gentleman. With regard to the question generally, he did not conceal from himself that the object of the Bill before the House was to lead to the universal and compulsory establishment of school boards. Now, with respect to that subject, it had frequently been discussed before, and he did not believe that the feeling of Parliament had altered in the least since the former decision had been come to on the matter. He could not see any popular feeling in favour of school boards, and in his office he was frequently brought face to face with the squabbles going on to avoid what were considered very serious burdens. He was pleased to hear the hon. Member for Birmingham (Mr. Dixon) state that the agricultural labourers as a class desired education for their children; because he earnestly desired that every child of the labouring and artizan class, both in town and country, should receive the education which had been provided for children by law. The hon. Member for Birmingham had expressed an opinion that the question of cost was the main obstacle to the establishment of school boards everywhere; but there were other difficulties, and one of the most formidable among them was, that in many cases the establishment of such bodies would lead to the severance of all those old friendly ties which had subsisted among gentlemen of different religious opinions, and whose existence had tended to the advantage of the communities in which they lived. He also feared that if the proposal was adopted, it would before long lead to the elimination of religious teaching altogether from the instruction given in board schools—a result which had already occurred in some places. It was well known that the hon. Gentleman was in favour of secular, as distinguished from religious education; and it was therefore necessary to scan very carefully any proposals on the subject which emanated from him. He could not but notice in the course of the hon. Member's speech that he did not speak with the same heartiness on the imperative necessity of school boards which had distinguished some of his former utterances on the same subject; and he could not refrain from thinking that in the country generally there was not so strong a feeling as at one time existed in favour of school boards as the best, if not the only, machinery for carrying on the work of educating the masses of the people. The hon. Member for Sheffield had also expressed doubts on this point——

Mr. MUNDELLA: I only expressed a doubt as to whether the education was the best. I never expressed any doubt as to the school boards.

Viscount SANDON thought at any rate the hon. Gentleman had not spoken so highly of them as he did two years ago. As far as his (Viscount Sandon's) own view on the subject went, he thought the real fact was—and they could not conceal it—that to leave the education of the country solely dependent upon the compulsory election of school boards everywhere would be to risk a wreck of the whole concern. Even the hon. Member for Bristol (Mr. Morley) thought the Bill of the hon. Member for Birmingham would require great alteration before it could be properly worked; but he (Viscount Sandon) failed to see how "great alterations" could be made in a Bill which contained only two principles—namely, universal compulsory attendance at school and universal compulsory school boards. No one could feel more strongly than the Members of the present Cabinet the importance of securing to the people of this country a sound, sensible, and general education; and he had heard with great satisfaction the opinion of the hon. Member in charge of the Bill that soundness should characterize the education which was to be afforded to those who came under the operation of the existing or any future Education Act. Her Majesty's Government had considered the question from all points of view, and had certainly lost no opportunity of making themselves acquainted with the opinions of hon. Members on both sides of the House with reference to it. He must decline to go further into the various proposals which had been made that day; his mind was so full of education from the attention he had paid to it during the Recess that he might be easily drawn into a discussion on the subject. He accepted with great satisfaction the very sensible remarks of the right hon. Gentleman the Member for Birmingham; and he hoped that when the Government measure on this subject was brought forward, it would be approached in the same spirit of kindly consideration and of general forbearance which had characterized the discussion of this afternoon. This was a subject that could not be regarded as a Party one, and in the interests of sound education he must protest strongly against the conjunction of the great and noble cause of popular education with what he believed to be the fatal principle of universal school boards. He therefore asked the House to say, in no hesitating or doubtful tone, that the questions of popular education and of universal school boards would be approached separately and distinctly; because, unless they did so, he was afraid that there would be such a reaction on this question among the labouring population and among other classes in this country as would throw back the cause of education for, probably, a generation.

Mr. DIXON, in reply, said, that the modifications he proposed to meet the views of hon. Gentlemen opposite had not been received with that spirit of mutual concession without which no measure could or ought to be carried through Parliament. The principle of the Bill was not the machinery of compulsion, but compulsion itself. In that view, he denied that he had changed his opinion on the subject in any way, he being now, as he had been from the commencement, in favour of school boards, they appearing to him to be the best educational machinery that could be obtained.

Question put, "That the word 'now' stand part of the Question."

The House *divided*:—Ayes 160; Noes 281: Majority 121.

Words *added*.

Main Question, as amended, put, and *agreed to*.

Second Reading *put off* for six months.

House adjourned at a quarter before Six o'clock.

HOUSE OF LORDS,

Thursday, 6*th April*, 1876.

MINUTES.]—Public Bills—*First Reading*—Partition Act (1868) Amendment * (52); Drugging of Animals * (53).

Second Reading—Supreme Court of Judicature (Ireland) (31).

Committee—University of Oxford (45-51).

CHAIRMAN OF COMMITTEES.

Moved that the Lord Winmarleigh be appointed to take the Chair in the Committees of the Whole House in the absence of the Lord Redesdale: *Agreed to.*

PRIVATE BILLS.

Ordered, That Standing Orders Nos. 91. and 92. be suspended; and that the time for depositing petitions praying to be heard against Private Bills, which would otherwise expire during the adjournment of the House at Easter, be extended to the first day on which the House shall sit after the Recess.

THE ROYAL TITLES BILL.

QUESTION.

Earl GRANVILLE asked the noble and learned Lord on the Woolsack, Whether it was his intention to propose any alteration in the Royal Titles Bill with the view of meeting the points suggested by his noble and learned Friend (Lord Selborne) on Monday night?

The LORD CHANCELLOR: In consequence of the suggestion which my noble and learned Friend was good enough to make the other night, Her Majesty's Government have given the most careful consideration to the point. We have considered whether any Amendment is, according to our judgment, necessary in the Royal Titles Bill; and, after considering that question with the greatest care, the Government are quite of opinion that there is no difficulty whatever in giving effect to the intention of the Government to except from the operation of the Bill all commissions, writs, and similar documents operating in this country. It is not, therefore, our intention to propose any Amendment.

SUPREME COURT OF JUDICATURE (IRELAND) BILL—(No. 31.)

(*The Lord Chancellor.*)

SECOND READING.

Order of the Day for the Second Reading, read.

Moved, "That the Bill be now read 2ª."—(*The Lord Chancellor.*)

Lord O'HAGAN said, that since the first reading the Bill had been carefully considered by those who were most competent to form an opinion on it, and he was bound to say that there appeared to be no objection to its principle, and no reason why it should not be read a second time. It proceeded on the lines of the English Judicature Act, which he was happy to hear had been a great success. The objections made by the profession to the Irish Bill of 1874 seemed to have met with consideration at the hands of the noble and learned Lord on the Woolsack, and had been largely obviated in this measure. He hoped that as a whole the Bill would receive the sanction of their Lordships and would prove beneficial to Ireland. At the same time, he was bound to say that in respect of the number of the Judges a wiser view had been taken by the Commission of 1863, of which his noble and learned Friend was a Member. That Commission had reported unanimously that there was no reason for a reduction of the number; but in the Bill before their Lordships provision was made for such a reduction. This was a point on which anything he might say was not likely to lead to a reversal of the decision arrived at by the Government; but he thought that nothing had occurred since 1863 which made the Report of the Commissioners upon it less applicable now than when it was made. The fiscal provisions of the Bill, to some of which exception should be taken, were for the House of Commons. The other Amendments which the Bill required were matter for Committee.

The Earl of BELMORE also expressed his approval of the principle of the Bill, though he thought that the measure might be improved in Committee.

The LORD CHANCELLOR said, he had heard with great pleasure the remarks of his noble and learned Friend and of his noble Friend. Their suggestions in Committee would receive his careful attention.

Motion *agreed to;* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Monday* the 1*st of May* next.

UNIVERSITY OF OXFORD BILL.

(Nos. 16-45).

(*The Marquess of Salisbury.*)

COMMITTEE ON RE-COMMITMENT.

House again in Committee (on Re-Commitment) (according to Order).

Statutes for University and Colleges.

Clause 16 (Objects of statutes for Colleges in themselves). Sub-section (1.)

"For altering the conditions of eligibility to any emolument or office, other than the headship, held in the College, and the mode of election thereto, the length and conditions of tenure thereof, and the powers appertaining thereto, and for providing a pension for a holder thereof, or any of those matters."

The Earl of CAMPERDOWN moved to omit the words "and the powers appertaining thereto." He did not see why the Commissioners should have authority to deprive non-resident Fellows of the power of taking a part in the Government of the College.

The Marquess of SALISBURY said, that on the other side they had had constant denunciation against Convocation as the Governing Body of the University, on account of the number of non-resident Fellows it comprised. It was rather inconsistent of those who joined in those denunciations to wish to hand over the government of the Colleges to non-resident Fellows. The non-resident Fellows of Colleges, as compared with the resident Fellows, bore a larger proportion than did the non-resident to the resident Members of Convocation. One part of the scheme to which this Bill was to give effect consisted of a provision that non-resident Fellows should hold office for a shorter duration and with smaller amounts. The consequence would be an increased number of Fellowships. If Fellowships were to be held for only three or five years the result would be that a large number of the Fellowships would be held by very young men. If they were to be allowed to take part in governing the Colleges, the government of the Colleges would be handed over not only to younger men, but to a body which would change more frequently. It was on this ground that it was proposed to give the Commission authority to alter those powers.

Lord CARLINGFORD thought that the proposition contained in the subsection, the effect of which was to exclude Fellows from the government of their Colleges, was a serious and novel one, and required more argument than that which had been adduced in its favour by the noble Marquess.

The Archbishop of CANTERBURY thought that all the Fellows should have a share in the government of their Colleges. It was feared that the young Fellows would have too great a share in the government; but young Fellows in course of time became old Fellows. With a view to prevent government by a clique it would be wise to preserve to the non-resident Fellows the right of taking a share in the government of the Colleges.

The Earl of MORLEY and Lord COLCHESTER were understood to support the Amendment.

The Marquess of SALISBURY said, that as there were batteries on the right and on the left and in front of him, there was nothing for him but a retreat, and he would therefore assent to the Amendment.

Amendment *agreed to;* words *struck out* accordingly.

The Earl of AIRLIE proposed in page 5, line 14, after ("them") to insert—

"Provided that it shall not be lawful for the Commissioners to annex to the headship of a College or to a Fellowship or other emolument, the holder of which is not now required to subscribe any religious test, any office which is restricted to persons in Holy Orders, or the holder of which is required to subscribe any article or formulary of faith, or to make any declaration or take any oath respecting his religious belief or profession, or to conform to any religious observance, or to attend or abstain from attending any form of public worship, or to belong to any specified Church, sect, or denomination."

The Marquess of SALISBURY said, there was no objection to the Proviso.

Amendment *agreed to*; words *added* accordingly.

The Archbishop of CANTERBURY proposed an Amendment to give the Commissioners power to make provision for diminishing the expense of education in the College by assigning salaries to College tutors, lecturers, or otherwise. Some of the Colleges which possessed the largest revenues did not educate any large number of students; and he thought that a College which had an income of £20,000 or £30,000 a-year was not fulfilling the intentions of the Founders when they made education an expensive luxury. The object of his Proviso was to enable the Commissioners to make provision out of the estates of the Colleges for certain expenses, and so to enable the Colleges to reduce the payments required from students. If this were done, it would enable many persons of moderate means who were now shut out to avail themselves of the advantages of a University education, not only as unattached students, but also as members of Colleges. It seemed reasonable that the general expenses of the Colleges, including all payments for the benefit of Fellows, resident and non-resident, should be borne by the estates of the Colleges rather than from the fees of students.

Amendment *moved,* after sub-section (6) to insert the following sub-section:—

"For diminishing the expense of education in the College by assigning salaries to College tutors and lecturers, or otherwise."—(*The Lord Archbishop of Canterbury.*)

LORD BLACHFORD said, he was quite in favour of putting academic training and University education more within the reach of persons of moderate means than they now were. He thought an important step in this direction would have been taken if the time of academic instruction falling within the year were extended and the vacations diminished.

LORD CARLINGFORD, with great respect for the most rev. Prelate, doubted whether his Proviso would be a wise one. There were at present exhibitions and scholarships for students not attached to any class, so that persons of moderate means already had facilities for obtaining a University education at Oxford. Whether it would be wise to go further, and diminish the revenues of the Colleges by paying the teachers out of the estates, was open to very grave question. He thought it was diverting money that could be more beneficially applied to other purposes. He was not prepared to support the Proviso.

VISCOUNT CARDWELL thought that if the Amendment were agreed to, there ought to be some provision for making the remuneration of the teacher in a great degree dependent upon fees, or else his efficiency would become a secondary consideration, and there would be a danger of the teaching power being deteriorated.

THE BISHOP OF LONDON said, he did not share in that apprehension.

THE MARQUESS OF SALISBURY said, the object of the Amendment was to enable those who were at present deterred from entering the Colleges by reason of the expense to do so.

THE MARQUESS OF LANSDOWNE asked if there was any evidence tending to show that the charges at present made by the Colleges were so high that the majority of students were unable to meet them?

THE DUKE OF SOMERSET said, the operation of the Amendment would be to enable the poor to have the advantage of a University education on account of their poverty, and not by reason of their merit. Poor students might very naturally desire University education, but he thought it would be better to provide it for promising young men of that class by foundations than to put it within the reach of the whole class by paying the teaching expenses of the Colleges out of funds which, under the Bill, would be required for objects of learning and research.

THE DUKE OF CLEVELAND concurred with those noble Lords who thought that they ought to hesitate before sanctioning a proposal to give up revenue.

THE LORD CHANCELLOR called attention to the fact that the word giving power to the Commissioners to do the things set out in Clause 16 was "may," and not "shall."

THE BISHOP OF OXFORD was surprised to hear the noble Duke opposite rather impute blame to poor people because they desired a University education. The existing Scholarships were not attainable by very poor men, who could not afford the expense of such a previous education as would ensure success in the competition for them.

EARL GRANVILLE said, no one objected to give to the poor the advantages of education, but he thought the present proposal would be advantageous to the rich rather than the poor; it would, moreover, take from the tutors the best stimulus to do their best.

Amendment *agreed to;* words *added* accordingly.

THE EARL OF MORLEY moved an Amendment—

In page 4, line 25, at end of clause, add as a fresh paragraph—

"The Commissioners may also on the application of any two or more Colleges make provision for their complete or partial union; such application shall be made by at least two thirds of the Governing Bodies of the said Colleges; they may also in the case of any headship to which any ecclesiastical duties, office, or emoluments are annexed by Act of Parliament, or otherwise, make provision for separating such duties, office, or emoluments from the headships, and for substituting other emoluments."

THE LORD CHANCELLOR said, that his impression was that the Amendment would enable the Commissioners to repeal Acts of Parliament, which was scarcely within the purpose of the Bill. Besides, the Heads of Colleges were never away more than three months in the year.

The Marquess of SALISBURY said, he must oppose the second part of the Amendment—all after the word "colleges."

The Earl of AIRLIE said, it appeared to him that the 14th clause of the Bill enabled the Commissioners to interfere with Acts of Parliament.

The Bishop of OXFORD pointed out that there was a feeling at Oxford that the Heads of Colleges should be relieved of those duties which, to a certain extent, conflicted with those duties which were attached to the headships. Many would be extremely glad if the dual position were got rid of.

The Lord CHANCELLOR contended that there was no power in the Bill to enable the Commissioners to repeal any Act of Parliament.

The Earl of MORLEY said, he would not press the second part of this Amendment at present, but would reconsider the course which he would pursue.

Amendment *amended;* words *struck out* accordingly.

Amendment further amended, by adding after the word ("Colleges,") the words ("with the consent of the visitors thereof.")

Clause, as amended, *agreed to.*

Clause 17 (Objects of statutes for Colleges in relation to University).

Lord COLCHESTER proposed to insert words limiting the portion of the revenues of the College devoted to instruction in Art or Science to one-fourth of such revenues. He thought this would be a wholesome restraint on the Commissioners. He hoped the Commissioners would be very careful in attempting to make any redistribution of property.

Amendment moved, line 34, after ("portion") insert ("not exceeding one-fourth").—(*The Lord Colchester.*)

The Marquess of SALISBURY declined to accept the Amendment. He would refer his noble Friend to the 13th clause, from which he would see that the Commissioners in making statutes were to have regard to the designs of the Founders, except where the same had ceased to be observed before the passing of the Act. It was, in fact, proposed to deal only with property which had already been dealt with by Parliament. As regarded the Amendment, the principle laid down by the noble Lord was not one to which he could demur; he should be very much surprised indeed if the Commissioners went beyond the limit proposed. But the laying down of any hard-and-fast line might have the contrary effect to that at which the noble Lord was aiming. Supposing the property to be dealt with amounted to £500,000; if it were provided that no more than one-fourth of that sum should be applied to instruction in Arts and Sciences, &c., the whole fourth—that was to say, £125,000—might be devoted to Professorships. In other words, the maximum fixed by the noble Lord might practically become the minimum. In this matter, it seemed to him the better course would be to trust to the good judgment of the Commissioners.

Amendment *negatived.*

Clause *agreed to.*

Clause 18 (Increase of or additional income to be regarded), *agreed to.*

Clause 19 (Power to allow continuance of voluntary payments).

The Earl of KIMBERLEY asked for an explanation of the clause, especially of the words, "voluntary payments."

The Marquess of SALISBURY said, it was well known to their Lordships that the owners of landed estates had to meet many claims which were morally but not legally binding on them, such as those for subscriptions to schools, to poor livings, and matters of that kind. The Colleges were in a somewhat analogous position, and therefore it was necessary that there should be in the Bill a provision of that kind, otherwise the Commissioners might feel themselves bound to disallow voluntary payments which the Colleges had been in the habit of making, whether to augment the incomes of the poorer livings or for other purposes in connection with the College property. He thought it would be unfortunate if the Commissioners should be compelled to disallow such payments.

The Earl of CAMPERDOWN pointed out that under that clause, unless great care was taken, voluntary payments out of College revenues to increase livings or for other purposes in connection with College property might amount to a very serious abuse; and he instanced a case in which a very large portion of the income of a College had been thus applied.

THE LORD CHANCELLOR thought that there were voluntary payments which were proper and others which might be improper; but their Lordships should not reject the clause altogether because of the bad. It would be better to let the Commissioners decide between those two classes of payments, instead of tying their hands. The clause did not bind the Commissioners to do anything, but only authorized them.

THE EARL OF KIMBERLEY admitted that there were voluntary payments arising out of the connection of the Colleges with landed estates of which no one would disapprove; but the Colleges were strictly for educational purposes; and he thought that in some way or other the Colleges should be distinctly prevented from hereafter alienating any of the funds given to them, whether as tithes or in other forms, from those purposes—except, perhaps, for the augmentation, within certain limits, of small livings. He therefore reserved to himself the right of moving some Amendment on the Report with a view to guard against abuse.

THE BISHOP OF OXFORD observed that there were livings which did serve an educational purpose by providing for the retirement of College tutors after a sufficient length of service. There were some poor livings which now received payments, or endowments, of no large amount; but made in perfect good faith without any reference to the interests of the Fellows; and it was feared that this Bill would deprive the parishes of those benefits.

Clause *agreed to.*

Clause 20 (Communication of proposed statutes for University, &c., to Hebdomadal Council).

THE ARCHBISHOP OF CANTERBURY moved to insert "or the visitor" after Hebdomadal Council."

Amendment *agreed to.*

Clause, further amended, and *agreed to.*

Clause 21 (Publication of proposed statutes for Colleges);

Clause 22 (Suspension of Elections);

Clause 23 (Saving for existing interest), severally *agreed to.*

Clause 24 (Production of documents, &c.).

THE DUKE OF SOMERSET moved an Amendment in page 6, line 39, after ("Commissioners") to insert—

("may take evidence upon matters relating to the constitution of the University and Colleges, and the proper mode of applying the revenues in dealing with the emoluments thereof, and shall publish the same from time to time, and")

THE MARQUESS OF SALISBURY said, that the clause as it stood gave the Commissioners power to take evidence; but he could not agree to an Amendment requiring them to publish the same. If they were to make a general preliminary inquiry, such as this Amendment implied, it would impose such duties upon the Commissioners as would vastly extend and delay their operations.

VISCOUNT CARDWELL supported the Amendment, on the ground that it would insure publicity being given to the acts of the Commissioners, and so give a further security to the Colleges.

THE LORD CHANCELLOR said, the question raised by the Amendment of the noble Duke was one which, if raised at all, should have been brought forward on the second reading, and not at the Committee stage of the Bill. He certainly objected to giving the Commissioners power to commence a roving inquiry. The clause as it stood gave them authority to take evidence.

EARL GRANVILLE thought that, as it would be necessary for the Commissioners to take evidence before preparing their schemes, there should be no objection to such evidence being received publicly and afterwards made known to the world. It would be unfortunate for any suspicion of secrecy to attach to the proceedings of the Commission.

THE LORD CHANCELLOR said, there was no objection to power being given to the Commissioners to take evidence, but it was not thought desirable that the evidence should be published. He would assent to the insertion of words that would confer upon the Commissioners power simply to receive evidence.

After some further discussion,

On Question? The Committee *divided:*—Contents 24; Not-Contents 39: Majority 15.

CONTENTS.

Somerset, D. [*Teller.*]

Lansdowne, M.

Airlie, E.
Camperdown, E.
Granville, E.
Ilchester, E.
Kimberley, E.
Minto, E.
Morley, E.

Cardwell, V.

Belper, L.
Blachford, L.
Boyle, L. (*E. Cork and Orrery.*) [*Teller.*]
Carlingford, L.
Elgin, L. (*E. Elgin and Kincardine.*)
Ettrick, L. (*L. Napier.*)
Foley, L.
Hammond, L.
Monson, L.
Ponsonby, L. (*E. Bessborough.*)
Strafford, L. (*V. Enfield.*)
Waveney, L.
Wentworth, L.
Wolverton, L.

NOT-CONTENTS.

Cairns, L. (*L. Chancellor.*)

Richmond, D.

Bath, M.
Exeter, M.
Hertford, M.
Salisbury, M.

Beauchamp, E.
Cadogan, E.
Doncaster, E. (*D. Buccleuch and Queensberry.*)
Hardwicke, E.
Jersey, E.
Malmesbury, E.
Shrewsbury, E.
Stanhope, E.

Gordon, V. (*E. Aberdeen.*)
Hawarden, V. [*Teller.*]

Chester, Bp.
Ely, Bp.
London, Bp.
Bagot, L.
Clanbrassill, L. (*E. Roden.*)
Denman, L.
de Ros, L.
Dunmore, L. (*E. Dunmore.*)
Dunsany, L.
Elphinstone, L.
Forbes, L.
Foxford, L. (*E. Limerick.*)
Hampton, L.
Harlech, L.
Headley, L.
Howard de Walden, L.
Ker, L. (*M. Lothian.*)
Ramsay, L. (*E. Dalhousie.*)
Rayleigh, L.
Saltoun, L.
Skelmersdale, L. [*Teller.*]
Stewart of Garlies, L. (*E. Galloway.*)
Winmarleigh, L.

Resolved in the *Negative.*

Clause *agreed to.*

Representation of Colleges.

Clause 25 (Election of Commissioners by Colleges).

Amendment made, in page 7, line 9, by inserting ("and to visitor thereof").

THE EARL OF MORLEY objected to this and the two following clauses, observing that it was desirable that uniformity in the proceedings of the Commissioners appointed under the Bill in making statutes for the several Colleges, should, as far as possible, be secured, and that that could not be effected if each College was empowered to elect three Commissioners of its own, who would have the same powers as the Commissioners themselves, so far as the framing of statutes was concerned. It was desirable that there should be some power given to the Colleges to consider and object to the statutes framed by the Commissioners before they were passed; but to give to the representative Commissioners co-ordinate powers with the official Commissioners would not tend to general uniformity, nor to promote the general purpose of the Bill. The only result could be that either the representative Commissioners would embarrass or override the other Commissioners in the interests of the College, or the latter would overrule the former in disregard of those interests.

Moved, To disagree to the said Clause.—(*The Earl of Morley.*)

THE MARQUESS OF SALISBURY said, that only four Colleges objected to the proposal—certainly not a majority of the Colleges. He saw no other way of arresting the despotism which might be exercised by the Commissioners appointed under the Bill, than by the adoption of some such proposal as that contained in the clauses to which the noble Earl objected. The three Commissioners to be elected by the Colleges would be elected on the cumulative system, and to imagine that they would be overruled, or that they would overrule in all cases the Commissioners was chimerical.

THE MARQUESS OF LANSDOWNE said, he shared the dislike entertained by his noble Friend to those clauses. It was, no doubt, usual and convenient that when Parliament was agreed with regard to the general principles upon which legislation was to be based, but where the details were too intricate or too numerous for advantageous settlement by their Lordships or by the other House, to delegate to Commissioners duties which properly belonged to Parliament itself. In such cases the utmost responsibility attached to those by whom the Commissioners were selected. Those Commissioners were selected for the exercise of high judicial and executive functions; and upon the ground that they were exceptionally fitted for the discharge of those functions, their names were submitted to the House, and every precaution was taken to guard against the appointment of persons not specially qualified for the work. In this case what were their Lordships invited to do? To consent to the association with these Gentlemen whom they did know, who were named in the Bill, whose tenure of office was to be continuous, and who were selected upon the grounds which he had suggested, other gentlemen whom they did not know, whose tenure of office was to be intermittent and occasional, who were to be selected, not because they had any special knowledge of the needs of the University or of the place occupied by the different Colleges in the University system, but because they were the ablest advocates whom the Colleges could discover; and whose selection was to rest, not with the Crown, not with Parliament, not with the Government, but with those very Colleges with whose finances they were to deal. It was very much as if a Judge was to say to the prisoner—"Prisoner at the bar, we desire to give you every opportunity of securing an impartial consideration of your case, and with this view we have determined not to oblige you to rely merely upon the assistance of counsel, but we shall allow you to name two or three personal friends of your own to serve upon the jury, so that you will be sure to get fair play." He viewed this part of the Bill with considerable mistrust, and he was aware that several of the Colleges, in the memorials which they had presented, had expressed an opinion of the same kind. They felt, and very properly, that where their own financial interests were concerned, they were not the best judges between themselves and the University; and they would be perfectly content if facilities were afforded them for making themselves heard by assessors or otherwise before the Commissioners named in the Bill.

THE LORD CHANCELLOR said, that Oxford University would deeply appreciate the compliment paid it by the noble Marquess when he compared the University to a prisoner on his trial. There did not seem to be the least weight in the objection that Parliament was delegating its duties to other persons, and he could conceive nothing more likely to make a body of this kind work inefficiently and jealously than to provide that one section of it should have voting power and that the other should not—that a portion should, in fact, sit as assessors. He thought they had in the Commission two elements which it was desirable to combine—one which would look to the permanent wants of the University and not confine itself to one College alone, and the other element which would with special knowledge and information represent each College. He thought they could very well trust the Colleges to name two or three of their own members to represent their interests; and unless their Lordships were disposed to give the Commissioners despotic powers the plan proposed was the best scheme that could be devised for securing the object in view.

EARL GRANVILLE said, he did not understand his noble Friend (the Marquess of Lansdowne) to speak of a criminal, but of a civil case in illustration of his argument.

THE LORD CHANCELLOR pointed out to the noble Earl the noble Marquess distinctly said "the prisoner at the bar."

EARL GRANVILLE contended that the homogeneity of the Bill was affected by the clauses.

THE BISHOP OF OXFORD said, there were some Colleges which might not wish to send three of their members to join in deciding a matter of this kind.

THE MARQUESS OF SALISBURY said, it was not necessary that the three Commissioners should belong to any College.

On Question? *Resolved* in the *Negative*.

Clause, as amended, *agreed to*.

Clause 26 (Notice to College of meeting);

Clause 27 (Validity of acts as regards Colleges) severally *agreed to*.

Schools.

Clause 28 (Notice to Governing Body of school, &c.);

Clause 29 (Provision for case of contingent right);

Clause 30 (Governing Body or corporation);

Clause 31 (Statutes for schools dissented from);

Clause 32 (Provision respecting right of preference when retained by school), severally *agreed to*.

Universities' Committee of Privy Council.

Clause 33 (Constitution of Universities' Committee of Privy Council).

THE EARL OF KIMBERLEY said, that as questions of law might frequently come before the Committee, it was desirable to provide that, in the absence of the Lord Chancellor, that one of its

Members should be a Member of the Judicial Committee of the Privy Council.

THE MARQUESS OF SALISBURY said, he saw no objection to inserting at the end of the clause the words, "one of whom shall either be the Lord Chancellor or a member of the Judicial Committee of the Privy Council."

Clause, amended, and *agreed to.*

Confirmation or Disallowance of Statutes.

Clause 34 (Submission of Statutes to Queen in Council) *agreed to.*

Clause 35 (Petition against statute).

THE EARL OF KIMBERLEY suggested that the power should be made to extend to petitioning not only against the whole of a statute, but also against any part of a statute—a rule which now applied to the analogous case of schemes framed by the Endowed Schools Commissioners.

THE DUKE OF RICHMOND AND GORDON concurred in this suggestion, and thought it would be well that effect should be given to it by an addition to the clause on the Report.

Clause *agreed to.*

Clauses 36 to 39, inclusive, *agreed to.*

Effect of Statutes.

Clause 40 (Statutes to be binding and effectual) *agreed to.*

Alteration of Statutes.

Clause 41 (Power for University to alter Statutes, &c.);

Clause 42 (Power for Colleges to alter Statutes, &c.);

Clause 43 (Confirmation or disallowance of altering Statutes) severally *agreed to,* with an Amendment.

LORD CARLINGFORD moved to insert, after Clause 43, a new clause dealing with the constitution and composition of Congregation. His proposal was, he said, not a sweeping or disturbing one, and he thought it ought not to give rise to much opposition either at Oxford or from their Lordships. His object was simply to make Congregation a really Academic body, and merely to exclude from it those members whose only qualification was residence at or near Oxford. It might be said that those non-academic members who were mere inhabitants of Oxford seldom attended or took part in the proceedings of Congregation; but that fact told more for his argument than against it. Moreover, those members could always be brought in for some special purpose, whatever it might be. The noble Lord concluded by moving the insertion of the following clause:—

"On and after the 15th day of Michaelmas term, 1876, the Congregation of the University of Oxford shall be composed of the following persons only, the said persons being members of Convication:—The Chancellor, the High Steward, the Heads of Colleges and Halls, the Proctors, the members of the Hebdomadal Council, the officers named in the schedule to this Act annexed, the Professors, Lecturers, and Readers of the University, the Public Examiners, Resident Fellows of Colleges, all persons who shall be certified by the head of any College or Hall to be engaged in the tuition, discipline, or administration of such College or Hall."

THE BISHOP OF OXFORD said, the noble Lord proposed by his Amendment to disfranchise several persons who were well qualified to give an opinion on questions brought before Congregation, and gave no security that the persons included in the Amendment were particularly qualified to give an opinion on educational matters. He deprecated changes which would narrow the academical legislation, and diminish the interest taken by the great body of graduates in University affairs.

THE MARQUESS OF SALISBURY declined to accept the clause.

On Question? *Resolved* in the *Negative.*

LORD COLCHESTER moved a new clause to follow Clause 43—("Convocation of the University").

THE MARQUESS OF SALISBURY said, the clause did not come within the purpose of the present Bill, and raised a question which was too wide to be discussed on the present occasion.

Motion (by leave of the Committee) *withdrawn.*

Tests.

Clause 44 (Saving for Tests Act) *agreed to.*

Clause 45 (Operation of Tests Act as regards to Theological officers).

Amendment moved, in page 11, line 6, after ("1871") to insert—

("But the Commissioners shall not use for the purpose of endowing such offices and funds other than those the holders of which are now required to subscribe a theological test").

On Question? *Resolved* in the *Negative.*

Clause *agreed to.*

The Report of the Amendments to be received on *Tuesday* the 2*nd* of *May* next; and Bill to be *printed,* as amended. (No. 25).

House adjourned at half-past Nine o'clock till To-morrow, half-past Ten o'clock.

HOUSE OF COMMONS,

Thursday, 6th April, 1876.

MINUTES.] — SELECT COMMITTEE — Local Government and Taxation of Towns (Ireland), Mr. J. P. Corry and Mr. Murphy *added;* Oyster Fisheries, Sir Robert Buxton *added.*

WAYS AND MEANS—*considered in Committee*—

PUBLIC BILLS — *Ordered* — Local Government Provisional Orders (No. 2) *.

Ordered—First Reading—Admiralty Jurisdiction (Ireland) * [121].

Second Reading—Crossed Cheques * [112].

Committee — Merchant Shipping [49] — R.P.; Offences against the Person * [1]—R.P.

Third Reading—Local Government Provisional Orders * [102], and *passed.*

PARLIAMENT — PRIVILEGE — PUBLIC PETITIONS — MONASTIC AND CONVENTUAL INSTITUTIONS BILL.

OBSERVATIONS.

Notice taken, that the name of Mr. Newdegate, Member for North Warwickshire, had been affixed without his authority to a Petition from Chatham, in favour of the Monastic and Conventual Institutions Bill, presented upon the 30th day of March last.

MR. NEWDEGATE, referring to a Petition from certain members of the Protestant dissenting places of worship at Chatham, on the subject of Monastic and Conventual Institutions, which had been reported upon by the Committee on Petitions, said, he had been much surprised at hearing his name mentioned in connection with the Petition. He had been to the Committee Office and had seen the original Petition, and the name upon it purported to be his signature. His belief was that he never saw the Petition before, and was quite certain that no person could have written his name, or what purported to be his name, in the manner in which it was written with his authorization. He intended to move that the Order for the reception of the Petition be discharged, because he believed he had never presented it. This was not the first time on which he had reason to believe that his name had been written on Petitions without his consent; and he trusted that the House would bear with him for a moment in the remarks which he desired to make upon the lax practice which prevailed with regard to the practice of presenting Petitions. On Friday a gentleman came down to the House and said to him—"Mr. Newdegate, I have a great many Petitions for you." He replied—"It is too late." "Oh no," said the gentleman, "it is not, for you can put them into the bag." He (Mr. Newdegate) declined to be a party to any such transaction. He believed that the circumstance had occurred to him before, and he must express his surprise at the action of the petitioners. He believed that if the Committee on Petitions had noticed the manner in which his signature was attached the Petition would not have been printed. He was quite sure that if the attention of the Chairman (Sir Charles Forster) had been called to the Petition it would not have been printed.

SIR CHARLES FORSTER, as Chairman of the Committee on Petitions, said, that if his attention had been called to the Petition in question it would never have been printed. He desired to take advantage of that opportunity to call the attention of the House to the great inconvenience which arose in consequence of the lax system with regard to presenting Petitions. If cases of that kind were of frequent occurrence it would be for the House to consider whether it would not be convenient to revert to the old practice in the House of Members signing the Petitions themselves, and presenting them from their places; or, if they were signed by anybody else, it being done with the Member's express authorization.

MR. OWEN LEWIS observed, that as he was the Member through whose instrumentality the matter had been brought to light the House would perhaps allow him to say a few words on the subject. While unreservedly accepting the statement of the hon. Member for North Warwickshire (Mr. Newdegate) that he had neither signed the Petition nor was cognisant of its contents, he could not help observing that the hon. Member had on many occasions in that House made insinuations almost as bad against the English and Irish Catholic ladies who chose to reside in conventual establishments. The affair, he confessed, was a mysterious one, and afforded some light as to the proceedings of those persons by whom the agitation against these ladies was set on foot and as to their good faith and honourable feelings. He had no doubt that when next the hon. Member was enlarging upon the immoral and dangerous character of convents he would, as usual, point to the number of Petitions on the subject as showing that the feeling of the public was with him, but after the exposure of that day people would know what value to set upon such. An agitation which could not be conducted without fraud and forgery and making charges equally devoid of truth and decency would never injure those good and useful women, while it would leave an indelible stain upon the reputation of all connected with it.

Mr. CALLAN said, the language of the Petition was more fitted for Holywell Street than for that House. He regretted that the Chairman of the Committee on Petitions had not offered some explanation of the circumstances under which it had been presented. He had failed to catch from the hon. Member for North Warwickshire, or from the hon. Baronet, any reprobation of the terms of the Petition. He thought it was only fair to the Catholic Members that a strict inquiry should take place into the circumstances, and he should to-morrow move for such an inquiry.

Sir CHARLES FORSTER repeated that if he had been aware of the statements contained in the Petition he should not have sanctioned its being printed.

Mr. D. ONSLOW thought that the way in which Petitions were presented was at the present time very lax indeed. It was the duty of every Member to examine Petitions before presenting them and putting their names to them. He asked the Speaker to inform the House whether Members were bound to sign Petitions themselves or could depute another person to sign for them?

Mr. H. HERBERT said, he thought it was outrageous that statements of the kind contained in the Petition should be presented to the House, and he was of opinion that the fullest inquiries should be instituted into the matter.

Mr. BUTT considered there was a much more serious question than the character of the Petition. It ought not to be overlooked that there had been a forgery of the hon. Member's name committed, as well as one of the grossest contempts of the House; and it was a question whether the House could pass over it.

Mr. O'SHAUGHNESSY said, that after looking at the signature of the Petition, he found it was written in such a manner that it must have been the work of an illiterate hand, and could not have been done by any Member of the House. It was perfectly plain that this was part of a regular system, and the sooner it was put an end to the better.

Mr. NEWDEGATE wished it to be understood that hon. Members had no right to hold him responsible for the presentation of the Petition. It happened that he had always strongly objected to any such language as was then used, and had always suggested forms of speech which would avoid allegations of this kind, that, though based only on suspicion, were made to appear as though based upon fact. He formally moved the discharge of the Order for laying the Petition on the Table of the House.

Mr. SPEAKER: Before the Question is put to the House, I think it right to state that it is the duty of every hon. Member presenting a Petition to the House to make himself acquainted with the terms of the Petition, and to see that it is, in its language and expressions, consistent with the Rules of the House. Having satisfied himself that the Petition is consistent with the Rules of the House, it is the duty of the Member presenting the Petition to affix his name to the Petition; and it is irregular to authorize any other person to affix the name.

Ordered, That the Order that the said Petition do lie upon the Table be read, and discharged.

Petition *withdrawn.*

Mr. CALLAN: As a matter of Privilege, the hon. Member for North Warwickshire having stated in his place that his signature on the Petition presented to the House from Chatham in favour of the Monastic and Conventual Institutions Bill, on the 28th of March, was not placed there by himself, or by anyone with his authority, I give Notice that to-morrow, at the meeting of the House, I will move that a Select Committee be appointed to inquire into and report upon the circumstances under which the signature of the hon. Member was affixed to the Petition from Chatham presented to this House.

PARLIAMENT—PUBLIC PETITION FROM A FOREIGN TOWN.

Sir EARDLEY WILMOT presented a Petition from Inhabitants of Boulogne-sur-Mer, praying that this country may continue to be represented there by a Consul and not a Vice Consul, and moved that it be read by the Clerk at the Table.

Mr. SPEAKER: Is the Petition signed by British subjects?

Sir EARDLEY WILMOT said, it was signed both by British subjects residing at Boulogne and by Frenchmen who concurred in the prayer of the Petition.

Mr. SPEAKER: Will the hon. Member be so good as to read the heading of the Petition?

Sir EARDLEY WILMOT: It is a Petition from Inhabitants of Boulogne-sur-Mer.

Mr. SPEAKER: I am not aware of any instance in which a Petition from Inhabitants of a foreign town has been presented or received by this House; and before such a step is taken I hope the House will allow me to consider what course should be followed with respect to such a Petition.

PARLIAMENTARY FRANCHISE—LIVERYMEN OF LONDON.—QUESTION.

Mr. JAMES asked the Secretary of State for the Home Department, If he has any objection to lay upon the Table a Return of the number of Liverymen entitled to vote for Members of Parliament for the City of London, specifying the Companies to which they belong?

Mr. ASSHETON CROSS in reply, said, he believed that a book containing all the information the hon. Member wanted might be had for 5*s*. A copy of this book might easily be placed in the Library; but, unless there was some special reason for printing it at the public expense, he must hesitate to do so.

SPAIN—WAR TAXES ON BRITISH SUBJECTS.—QUESTION.

Mr. GOLDSMID asked the Under Secretary of State for Foreign Affairs, Whether the following statement, published in the daily papers of Saturday last, is correct—

> "Cadiz.—March 30.—The Government demands the payment of the war tax and arrears, as well as a quota of the forced loan, by British subjects. French and Germans are exempt;"

and, if it is correct, to ask what action the British Government proposes to take in the matter?

Mr. BOURKE: It is true that the payment of these taxes has been demanded from British subjects. They have also been demanded from the citizens of the United States and of some other countries. The French and Germans, and Belgians, and some others have been exempt under Treaties with those countries, and Her Majesty's Government are in correspondence with the Spanish Government as to the right of British subjects to be similarly exempted under the Treaties between Great Britain and Spain. According to the last accounts the Spanish Minister for Foreign Affairs had undertaken to give the question his particular attention, and in the meanwhile Her Majesty's Minister had advised British subjects to pay under protest.

ARMY—THE ROYAL ARTILLERY (INDIA.).—QUESTION.

Colonel JERVIS asked the Secretary of State for War, Whether the Memorials of Lieutenant Colonel W. Stubbs, R.A., Major Stevenson, R.A., and R. Sadleir, R.A., forwarded to the Adjutant General, Horse Guards, War Office, February 18th 1875, by order of the Right Hon. the Commander in Chief in India, Lord Napier of Magdala, together with his Letter, No. 771 | Camp, dated 1st February 1875, reached the War Office; if so, if he will explain War Office Return, 25th June 1875—

> "That no Memorials nor Letters addressed to the Commander in Chief in India by the Officers of the Royal Artillery, complaining of the mode in which the Warrant of the 5th day of July 1872 has been carried out by the Government of India, have been forwarded to the War Office;"

whether his attention has been called to a Letter of Lord Napier of Magdala, dated Simla, 9th August 1875, likewise addressed to the Adjutant General of the Forces, Horse Guards, London, informing H.R.H. Field Marshal Commanding in Chief that he had received many other Memorials, but had not forwarded them, because he was awaiting a reply to his Letter of the 1st February 1875, but had informed the Memorialists "that the question had been submitted to His Royal Highness's consideration;" and, whether any reply has as yet been made to either of the said Letters or any one of the Officers concerned?

Mr. GATHORNE HARDY, in reply, said, he had made inquiries, and he found that there was no trace in the War Office of any such letter of Lord Napier or of the memorials said to have been enclosed. In regard to the second part of the Question, there had been a difference of opinion upon the subject, and no reply had yet been made to either of the letters.

FLOGGING IN BARBADOES.

QUESTION.

Mr. P. A. TAYLOR asked the Under Secretary of State for the Colonies, Whether he has any objection to lay upon the Table of the House a Despatch from the Governor of Barbadoes, on the subject of flogging in that Colony?

Mr. J. LOWTHER: The despatch to which the hon. Gentleman refers will be included among other Papers relating to the same subject, which are now in course of preparation for presentation to Parliament. Meanwhile, it will not be convenient that any portion of the Correspondence should be separately laid upon the Table.

POST OFFICE—THE CHANNEL ISLANDS—ALDERNEY.—QUESTION.

Mr. Alderman M'ARTHUR asked the Postmaster General, Whether he has made or is making arrangements to extend to the inhabitants of Alderney the same advantages in relation to postal communication as are now enjoyed by the other Channel Islands?

Lord JOHN MANNERS, in reply, said, it was not intended to extend to Alderney precisely the same arrangements for postal communication as were now enjoyed by Jersey and Guernsey. The reason was that Alderney had a very small correspondence and a very dangerous coast. Owing to this danger, the steamboat companies objected to allow their steamers to call at Alderney on their way from Weymouth and Southampton; nor, indeed, would it be right to delay the Jersey and Guernsey mails by any clause of this kind. Steps, however, were being taken to improve the Alderney postal communication by means of a small steamer to be worked between Alderney and Guernsey.

Colonel Jervis

POST OFFICE—POSTAGE OF BLUE BOOKS.—QUESTION.

Mr. M'LAREN asked the Postmaster General, Whether he could arrange to allow every Member of Parliament to post his own copy of Blue Books and other Parliamentary Papers, if he desired to do so, in the House of Commons, to be transmitted free of expense, within a few days, at such times as might be found most convenient for the arrangements of the Post Office Department?

Lord JOHN MANNERS, in reply, said, he had no power to make any arrangement of the nature asked for. Such papers were liable to pay postage at the rate of halfpenny for 2 ounces in weight, and he had no power to remove that legal liability.

Mr. M'LAREN said, his sole object was to prevent valuable Blue Books from being sent to the cheesemongers at the end of the Session. Perhaps the Secretary to the Treasury could issue an order to the effect required.

Mr. W. H. SMITH said, that if the hon. Member would give Notice of a Question he would undertake to answer it.

WAYS AND MEANS—THE FINANCIAL STATEMENT—ABATEMENTS FROM INCOME TAX.—QUESTION.

Mr. WHITWELL asked Mr. Chancellor of the Exchequer, What sum may be estimated as the abatement from the gross income of each penny of the Income Tax during the past year arising from the rebate of eighty pounds on Income Taxes below three hundred pounds per annum; and, what is estimated to be the additional abatement from the gross receipts of each penny of a three penny Income Tax, during the current year, in consequence of the additional rebate proposed to be allowed by the Budget of this year?

The CHANCELLOR of the EXCHEQUER: The abatement from the gross amount charged for each penny of the Income Tax on the assessment for 1875-6 in respect of the allowance of £80 on incomes below £300 per annum may be estimated at £156,250. The additional abatement from the gross amount to be charged for each penny of the Income Tax on the assessment for 1876-7 in respect of proposed allowance of £120 on incomes below £400 per annum may be estimated at £76,000. The additional relief from Income Tax by proposed extension of exemption to incomes not exceeding £150 per annum may be estimated at £54,000 for each penny of tax. The additional abatement which is now proposed may therefore be taken at £130,000 for each penny of tax.

EGYPT — EGYPTIAN FINANCE—MR. RIVERS WILSON.—QUESTION.

MR. GOURLEY asked Mr. Chancellor of the Exchequer, What measures he intends to adopt to enable the Khedive of Egypt to carry out the financial policy and suggestions indicated and contained in Mr. Cave's Report; and, whether Mr. Rivers Wilson is to furnish the Government, whilst in the service of the Khedive, with any information, and what, relative to the progress of his investigation?

THE CHANCELLOR OF THE EXCHEQUER: It does not lie with Her Majesty's Government to initiate any financial policy for Egypt; and we have not before us any proposal for measures to assist the Khedive in carrying out the suggestions contained in Mr. Cave's Report. With respect to the latter part of the Question, it would be no part of Mr. Rivers Wilson's duty while in the service of the Khedive to furnish information to Her Majesty's Government.

REGISTRATION OF BIRTHS AND DEATHS—CERTIFICATES OF DEATHS.

QUESTION.

MR. W. HOLMS asked Mr. Chancellor of the Exchequer, If he is aware that, while by Clause 15, sub-section 9, of the Friendly Societies Act of 1875 a certificate of death shall be given by the Registrar of Deaths for a sum not exceeding one shilling, "in place of all fees or payments in respect of the same," in many places throughout England, and especially in large towns, Registrars of Deaths systematically evade the law by charging one shilling, and sometimes one shilling and threepence extra for such certificate, in which they fill up all or part of the information required in such certificate; and, if he has any objection to instruct the Registrar General to issue a circular to District Registrars intimating that their charge for a certificate of death shall not under any circumstances exceed the statutory sum of one shilling?

THE CHANCELLOR OF THE EXCHEQUER, in reply, said, he had no authority to issue instructions to the Registrar General. He had stated on a former occasion, in answer to a similar Question, that the regular charge which Registrars could make under these circumstances was 1*s.* for certificates of death, but that there were certain forms which they were not bound to fill up, which were required to be filled up before certificates were given, and for filling up which they made an extra charge. He had authority from the Registrar General to state that during the three months the Act had been in operation no information had reached him that more than 6*d.* had been charged for filling up the forms. Some Registrars charged 3*d.* and some nothing.

THE SUEZ CANAL ADMINISTRATION—THE SURTAX.—QUESTION.

THE MARQUESS OF HARTINGTON asked Mr. Chancellor of the Exchequer, Whether the arrangements for the introduction of three representatives of England into the administration of the Suez Canal are yet completed; and when the Government will be able to state to the House the nature of the arrangement, and when he will be able to give the House any information with respect to the negotiations between Colonel Stokes and M. Lesseps on the subject of the surtax on vessels passing through the Canal?

THE CHANCELLOR OF THE EXCHEQUER: No, Sir; the arrangements for the introduction of representatives of England into the administration of the Suez Canal cannot be completed until the general meeting of the shareholders of the Canal shall have been held, which will not be until some time in the month of May. Of course, the Government cannot state the nature of the arrangements until that meeting has been held, and it would not be convenient to have the subject discussed beforehand. With regard to the second part of the Question, I do not know that the noble Lord has rightly described the matter as negotiations between Colonel Stokes and M. Lesseps on the surtax. The surtax is a matter to be arranged between Her Majesty's Government and other Governments interested and the Khedive of Egypt and the Porte. Communications are now going on upon the subject.

NAVY—NAVAL INTERPRETERS.

QUESTION.

Mr. HANBURY TRACY asked the First Lord of the Admiralty, Whether it is true, as appears by the Navy List just issued, that thirteen officers have qualified as Interpreters of Foreign Languages; whether it is the case that none of the Officers so qualified are now employed as Interpreters, or are in receipt of the extra allowance held out as an inducement to Officers to qualify as such under Admiralty Circular of July 1874; and, if he will state what portion, if any, of the amount of £500 voted by Parliament as the extra remuneration to be paid to Officers serving as Interpreters, for the year ending the 31st March 1876, has been so paid?

Mr. HUNT: Fourteen officers have qualified as interpreters of foreign languages, six of them under the Order in Council of 1874; one officer is in the receipt of the extra allowance. The accounts for 1875-6 have not yet been completed; but, judging from the amount paid in the first six months of the year, something under £100 will have been paid. By the Circular of July, 1874, officers are only allowed to receive the allowance when borne in a flagship or senior officer's ship on a foreign station, when they have qualified in the languages commonly spoken within the limits of the command.

PUBLIC MEETINGS—FREEDOM OF DISCUSSION.—QUESTION.

Mr. WHALLEY asked the Secretary of State for the Home Department, with reference to Convents and other Institutions connected with the Church of Rome in this country, Whether he is prepared to exercise the powers or the influence of his Department for the protection of those who may desire to discuss such subjects in public meeting against organized interruption and outrage?

Mr. ASSHETON CROSS: The hon. Member must be aware that I have no direct control over either the county or borough police, and I presume that the local authorities in each case will exercise such discretion as to the maintenance of order as they may think right. They will judge of the merits of each case as it may arise. I hope no breach of the peace will take place anywhere, and certainly that no Member of this House will encourage the holding of any meeting which will directly tend to a breach of the peace.

Mr. WHALLEY: I beg to give Notice that I will move for a Return of Correspondence with the Home Office with respect to the public meetings held at Ipswich, Bury St. Edmund's, and Colchester during the Recess.

PARLIAMENT—ARRANGEMENT OF PUBLIC BUSINESS.—QUESTION.

Mr. BECKETT-DENISON: I wish to put a Question as to the course of Business on Monday. In the ordinary course I should have put it to the hon. Member for Hackney (Mr. Fawcett); but inasmuch as an arrangement was come to on Tuesday, at the instance of the noble Marquess (the Marquess of Hartington), by which the Navy Estimates were to be taken on Friday, and the Motion of the hon. Member for Hackney on Monday next, I now ask the noble Marquess whether he is under the belief that that arrangement is to be persisted in?

The Marquess of HARTINGTON: My hon. Friend has not given me any Notice of the Question; but, at all events, I will, with the permission of the House, take this opportunity of stating that I have not succeeded in inducing my hon. Friends to agree to the arrangement suggested by the right hon. Gentleman opposite on Tuesday last. I did, as I undertook to do, communicate with my hon. Friends the Members for Sandwich (Mr. Knatchbull-Hugessen) and Durham (Major Beaumont) upon the withdrawal of the Motions which stand in their name for Friday next. Both those hon. Gentlemen, as was not unnatural, were extremely unwilling to abandon the positions which they had obtained after a great deal of trouble and delay. The case of the hon. and gallant Member for Durham was a particularly hard one. He had already postponed his Motion for the convenience of the House, in order to enable the debate on the Fugitive Slave Circular to be concluded. I do not, however, want for a moment to place upon those hon. Gentlemen any responsibility more than they ought to bear. I have no doubt whatever if I had felt myself in a position to make to them a strong personal appeal, either on the ground of convenience to the House or the urgency of Public Business, they would have been disposed, at whatever sacrifice, to consider that appeal. On consideration, however, I found I was not in a position to make such an appeal. In the first place, the proposed arrangement did not, on reconsideration, appear to be so eminently fair as when it was at first proposed by the right hon. Gentleman opposite. It is quite true that eight Motions stood on the Paper on going into Committee of Supply, and that they were equally divided between hon. Members on both sides of the House. The right hon. Gentleman omitted to mention that the first two places—I am not sure that it was not so with the first three—were occupied by hon. Members who sit on this side of the House, and that, therefore, they stood in a much better position than the hon. Gentlemen on the opposite side. In the next place, I found upon inquiry that, so far as the arrangement was one for the convenience of the House, it was of an exactly opposite character; for Monday night would to many hon. Members on this side of the House, and probably on the other side, be extremely inconvenient for taking the debate on the Motion of the hon. Member for Hackney. I believe it is altogether without precedent that a Motion such as this, which the right hon. Gentleman appears to be disposed to treat as one involving want of confidence in the Government, should be discussed in the week of the Easter Recess. Then, Sir, as to the plea of the urgency of Public Business, it did not appear, upon further consideration, that there was any remarkable urgency in that respect. The Royal Titles Bill cannot be read a third time in "another place" until to-morrow night. Indeed it is possible, from what we are informed took place on Monday night—at all events, it seems somewhat probable—that the Bill may be returned to us to be amended, and then it could not be considered before Monday next, and in any case it cannot possibly receive the Royal Assent until the assembling of the other House after the Easter Recess, which is fixed for the 27th April. Under these circumstances, it is unnecessary that the debate should come on so soon, unless the Government chooses to take the course of advising that the Proclamation should be issued immediately after the passing of the Bill. But in any case it is possible that an opportunity may be offered to the hon. Member for Hackney to proceed with his Motion before the issue of the Proclamation. It does not appear, therefore, that there is any great urgency in the matter. If there is any urgency it is an urgency created solely by the voluntary action of the Government. Under these circumstances it occurred to me I was not able to make that strong appeal to my hon. Friends which would induce them to postpone their Motions; and I have to inform the House that they have not felt disposed to withdraw their Motions in the way suggested, and the arrangement cannot therefore be carried out.

LORD ESLINGTON: May I be permitted to ask the Prime Minister what is precisely the position in which Public Business now stands?

MR. DISRAELI: The position in which Business stands is this. To-night we trust that the Budget Resolutions will be passed; to-morrow the hon. and gallant Gentleman the Member for Durham (Major Beaumont) and other hon. Members will bring forward the Motions to which the noble Lord has adverted, but not very accurately, as I believe the second Motion is by the right hon. Member for the City of London (Mr. Hubbard), who sits on this side of the House; and on Monday we shall proceed with the Navy Estimates, as originally arranged.

MR. FAWCETT said, he should be sorry to allow it to be supposed that, because it was postponed, he was unwilling to have the Motion of which he had given Notice discussed. He was particularly anxious that it should be debated in that House; but he should, of course, endeavour to bring it forward at that time which would be most convenient to hon. Members, and when it could receive such a discussion as he thought it deserved after the statement made in reference to it by the Prime Minister. After consulting with hon. Members he found that the first day on which the Motion could be conveniently discussed would be the Thursday after the Easter Recess; and he begged, therefore, to give Notice that he should postpone the Motion standing in his name for an Address to the Crown in reference to the Royal Titles Bill to that day three weeks. If he should not then succeed in obtaining a discussion of it, he could assure hon. Members that, so far as he was concerned, he would do his best to find another opportunity to have the question properly debated.

MR. DISRAELI: I desire that there should not be any misunderstanding on this question. I felt it to be my duty to offer a day to the hon. Member for the discussion of his Motion before Easter; but I do not think that the House will be able to take up the matter on the Thursday after Easter, and therefore the hon. Member must not at all depend upon me for that day.

MR. FAWCETT understood the right hon. Gentleman to state that when a Motion distinctly challenged the conduct of the Government with reference to any important matter it was their duty to find an early day for its discussion. He begged, however, to give Notice that if the right hon. Gentleman did not afford him an opportunity on the day mentioned he should not shrink from his duty; and if he could not bring it forward on the Thursday after Easter he would do so on the first night that was open to private Members.

WAYS AND MEANS.

LOCAL AND IMPERIAL TAXATION—THE INCOME TAX.—RESOLUTION.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Mr. Chancellor of the Exchequer.*)

MR. HUBBARD, in rising to move—

> "That Local and Imperial Taxation, when they have a common incidence, should have a common basis of valuation, and should alike be assessed upon the net rental or value of Real Property; and that Imperial Taxation, when levied upon industrial earnings, should be subject to such an abatement as may equitably adjust the burthens thrown upon intelligence and skill as compared with property,"

said, he considered this one of the most important points of our fiscal policy. While the expenditure of the country was subject to constant and searching scrutiny, the mode of raising revenue was almost wholly neglected; yet it was a question which, as affecting the morality of the people, was not only equal, but superior, in importance. The Revenue of the country rested on no distinct principle whatever. Our Revenue, in fact, was nothing more than the residue of different taxes imposed at different times for different purposes, and for different periods of continuance. The Income Tax never would have been what it was but for this reason. It was originally imposed for a period of three years for the purpose of effecting great fiscal improvement. It was taken out of the old treasury of war taxation, and, without any improvement, was imposed in 1842. Although then regarded as a mere temporary imposition, it had come down to the present time full of inequalities, imperfections, and injustice. The notion that the Income Tax had nearly expired was quite exploded. An expiring tax was not subject to fresh alterations. It was now about to be subjected to another change in its incidence and amount. It was impossible not to be struck by the magnitude of the interests at stake. The amount of taxation for Imperial purposes was over £70,000,000, and for local purposes over £20,000,000. The President of the Local Government Board had a Bill before the House dealing with local taxation, and through that measure one object he had had in view for years would, he hoped, be happily fulfilled. That prospect relieved him of much of the labour he might have had in showing the present discreditable position of local taxation in the country. With respect to Imperial Taxation, there was something he desired to say upon the subjects of the Income Tax and the House Tax. The anomalies of the Income Tax were patent to every one, but they were more distinctly seen when Imperial taxation was contrasted with local taxation. Local taxation, he trusted, was fairly rooted in the legislative policy of the country upon this principle, that in levying rates you should charge not on the gross rental or gross value of property, but on that which remained after deducting the expenditure which was necessary to maintain the property in a condition to produce that rent. In that way you taxed a constant figure and not a variable sum.

Compare that principle with the case of the Income Tax on the gross rental or gross value of the property. It was difficult to see how such an anomaly should be allowed to exist as that of having these two modes of taxation going on side by side. The assessment of the metropolis had been driven up by the joint efforts of assessment committees and Government officials until it had reached the enormous amount of £28,000,000 gross rental. Five millions, however, were expended annually in payment for repairs, &c., yet the Imperial taxation was levied on the gross amount of £28,000,000. He would not call this confiscation, because confiscation implied misconduct on the part of those whose property was confiscated. In this case there was no offence at all; his constituents had done nothing to bring on themselves such a fiscal exaction; but though it was not confiscation, he would say it was extortion. Although it might not be always apposite to adduce the experience of foreign countries on such a subject, he could not help referring to a passage in Mr. Gallenga's interesting book on the condition of Italy, wherein it was stated that the Chancellor of the Exchequer of that country was seldom, if ever, troubled with communications enclosing conscience money, because

> "the Italian taxpayer looked upon the Government as his enemy and taxation as public robbery, and regarded it as heroism to evade the obligation of payment."

He did not pretend there was any similarity between the systems of the two countries with regard to the feelings they engendered; but, still, the quotation was *à propos* so far as taxation was unjust. In its legitimate aspect taxation was a device of civilization for securing protection and comfort to all the members of society. It was not only the industrial, professional, and mercantile classes that suffered from the Income Tax — the wrongs done to the land and house interests were exceedingly severe. The taxation of rental in the gross was obviously unjust. A quarter of the gross rental of the lands and houses of the country belonged, not to the nominal owner, but to the mortgagee and the encumbrancer; and by this fact a new and important question was raised for consideration. Assuming a landed property of £2,000 gross and £1,800 net rental to be burthened to the extent of £1,600 a-year, the owner who was rated to the Income Tax on £2,000 recouped himself on £1,600 only; so that, receiving £200 as his residue, he was charged with the Tax on £400. Upon his share of the net rental the owner paid a tax twice as heavy as that levied upon the capitalist mortgagee. This would surely be a great flaw in any system; and although hon. Members might not have their property encumbered, a feeling of justice would make them anxious to afford some remedy to those whose estates were encumbered. In seeking to redress the inequalities of this tax, he appealed to those who held it to be unjust that our local rates were levied solely on real property. It was quite time that this question should be re-considered. If a remedy was to be found in contributions from Imperial to local rates in aid of Imperial objects it was evident it could be done only through the instrumentality, and therefore through the adjustment of the Income Tax. An Income Tax should not fall upon the *corpus* of property, and so be at once a Property and an Income Tax. He by no means condemned a Property Tax operating within its own area and incidence, as through the Legacy and Succession Duties. The greatest blot on the Income Tax was that it was levied upon the salary of the professional man and industrial earnings just as much as upon assured income from land or the funds; and to correct that defect the second portion of his Motion was directed. From the defects of the Income Tax he proceeded to the question whether it could be spared or not. There were in the House several resolute advocates for its abolition; and if we could pay off £4,000,000 of Debt yearly, it was plain that instead of doing that we might, if we chose, dispense with the Income Tax; but he did not recommend that course. He admitted it to be our duty to endeavour to reduce our Debt; but he did not think that reduction ought to be attained by the continuance of Imperial taxes, the levying of which demoralized the people by encouraging them to resort to practices which disgraced us in our own eyes and in the eyes of the civilized world. The impolicy of entirely abolishing the Income Tax would be seen when it was remembered that it was the only tax that at all reached absentees. They were to be found all over the world, and many of them preferred to live in a more genial climate, where they would receive their rents and dividends without in any wise contributing to the expenses of the Government at home. Since the Income Tax had been established there had been signal examples of the utility of the tax in reaching absentees. There was one illustration which had occurred during the present generation. A nobleman of high rank and enormous property, who had lived a self-indulgent career in Paris, had literally spent millions there which, but for the Income Tax, would never have contributed one farthing to the maintenance of the government of this country. The class of traders and merchants, but for the Income Tax, would also almost escape taxation. A merchant's capital was always in a state of activity and his investments were constantly changed. His profits accumulated, and might be enormous, and but for the Income Tax he would never pay an adequate contribution towards the expenditure of the Government. It might be argued that if he amassed a large fortune he must be caught at some time, because he must die, and then he would have to pay probate and succession duty. But he might escape even then, for he had heard of an exceedingly opulent man who, when he was near his end, called his children together and divided his millions among them. The Income Tax, therefore, ought to be retained, because such persons could be compelled by no other means whatever to contribute their fair share towards the expenses of government. The increase in commercial wealth had been enormous. Between 1858 and 1872, a period of 14 years, land had increased in value from £58,000,000 to £65,000,000, or an increase of 12 per cent. House property during the same period had increased from £55,000,000 to £88,000,000, an increase of 60 per cent. On the other hand, the assessments under Schedule D had increased from £91,000,000 to £168,000,000, an increase of no less than 85 per cent. In the face of those figures he had not the conscience to ask on behalf of the class to which he belonged exemption from the Income Tax. All that he would ask was, that it should be equitably adjusted. Having mentioned the advantages of the system, he would consider the defects imputed to it. It was inquisitorial, and it encouraged fraud. The amount assessed under Schedule D was stated in the sixth Report of the Inland Revenue Commissioners to be £203,000,000 as against £248,000,000 in the other Schedules. It was under Schedule D that persons were invited to make their own assessments, and it was this process of self-assessment which was called inquisitorial. He held, however, that there was nothing offensive in it supposing the system to be equitable, except in certain accessories. The reason why the small traders were especially averse to the Income Tax was because their returns might come to the knowledge of their neighbours and rivals in trade. That, however, was an inconvenience which might be easily disposed of. There were facilities in the Inland Revenue Department in London by which every person assessed under Schedule D could make his return to sworn agents of the Government, who were bound to respect the secrecy of his return. There was no reason why persons in the country should not claim the same facilities, and in that way the whole difficulty might be overcome, and no person who wished to be honest had any right to object to the inquisitorial character of the Income Tax. The abuse arose in the fraudulent returns which were made to the Inland Revenue Department. In their fourth Report the Commissioners stated that not only small traders, but very important institutions made fraudulent returns; and they mentioned a flagrant case, in which certain partners returned £6,500 a-year as their earnings, and being surcharged at £32,000, paid upon that amount without appeal. The sixth Report contained these amongst other instances—A returned £170 a-year, but was assessed and paid upon £350; B returned £400, and paid upon £1,500; C returned £2,000, and paid upon £3,000; D returned £2,200, and paid upon £5,000; and E, who returned £6,000, paid upon £10,000. As a rule, people who intended to defraud the Revenue did not make any return at all, but waited to see what assessment the surveyor made, and if it happened to be a low one they paid it and said nothing; but if it was heavy they appealed. It appeared that of 490,000 persons charged under Schedule D only 128,000, or one-fourth, made returns. One person whose case was given in another Report of the Commissioners returned £15,000 as his assessable income; but the amount was raised by the Commissioners to £20,000, on which he paid. The following year he made no return, and being assessed upon £45,000, paid duty on that amount, and in the next year the amount was raised to £60,000, with the same result. It was with no pleasure that he made these statements; but he wished the House to know the extent and depth of this evil. In their Special Report of 1870 the Commissioners of Inland Revenue assumed that £44,000,000 was the amount of income returned on assessment, £101,000,000 that which should be returned; the difference £57,000,000, being the sum on which duty was evaded. The Income Tax Acts empowered the Inland Revenue Commissioners to impose treble duty upon those whom they had reason to believe under-estimated their income; but, to use their own words, they had an "invincible repugnance" to exercise the power thus placed in their hands. But why was it that they thus shrank from the performance of their duty? It was simply because they dared not put the Act in force, knowing, as they did, that the system they administered was rotten and full of scandalous injustice. The very form of their address to taxpayers to make returns showed that they were aware of the inequitable nature of the system. The only way to remedy the existing state of things was to cast off the trammels of bad legislation in the past, and to establish a system which would appeal directly to the good feeling of the taxpayer, which would make allowance for the different manner in which income was derived, whether from property which yielded a certain product, or from personal exertion and ability, depending upon health and other varying circumstances. If such a system were adopted, they might rely upon equitable, if not wholly accurate returns, and it would be for Parliament to make a suitable abatement in the case of precarious incomes. This, at least, ought to be borne in mind, that a dishonest and oppressive law made a dishonest people. If the Government of the country acted in a spirit of justice in this matter of taxation, they would find that the response of the country would be very different from what it was at present. They might not be able to put an end altogether to fraud and untruthfulness, but they would undoubtedly conciliate the sympathy and receive the support of all good citizens. Public opinion would be against the taxpayer who sought to defraud the Government, and with the Government which sought to enforce only its just rights. He should not be doing justice to the question under consideration if he did not refer to the Report of the Committee of 1861. To that Committee he presented at the close of the Session a Report which they declined to entertain, and they adopted a Report unfavourable to the scheme he had proposed. That Report he was ready to defend in its essential features against all comers, but that Report was not in question now. The Resolution before the House involved no details, and affirmed only the expediency of carrying out a principle admissible even by those who withheld their acquiescence from the scheme proposed in 1861. Within these 14 years circumstances had greatly changed as affecting the consideration of the Income Tax. In 1861, the objections to a re-adjustment were two-fold: the first was that the tax was a temporary tax: it was soon to expire, and it was undesirable to disturb its basis for the brief period it had yet to live. But since 1851, there had been important remissions of indirect taxation, and the House might think with him that the Income Tax could not now be spared, and as it could not be discontinued, must be amended. The other main objection to the proposed adjustment was, that professing to do justice generally, it gave too much to one and too little to another, and did justice to none. This objection, which impugned the action of relief by averages, had however been conclusively overborne by the legislation of the last few years. The Schedules of abatement for maintenance (proposed in Valuation Bills for the whole country) and adopted in the "Valuation of Property (Metropolis) Act," had decisively settled the controversy upon that head. Abatement by averages was the law as regarded incomes derived from real property, and it constituted an irresistible precedent for a similar treatment of incomes derived from trades and professions. The wide range of character within the limits of industrial incomes was undeniable. Traders and manufacturers had an appreciable value in their floating capital, their factories and their machinery, apart from their industry and skilled labour; while professional men had no other capital than the knowledge stored in their own brain by education and study. From the physician, with intellect as his sole capital, to the drug dealer whose stock could be valued to a shilling, there was a wide difference; but between the two stood the general practitioner, who was at once physician and druggist, and whose earnings combined fees for skilled advice and profits on the sale of drugs. On all sides were discovered gradations, but so insensible that they could stop at none; and the necessity arose for dealing with trades and professions upon the same scale of abatement. Again, as to the fixedness of the profits on trade: it would be found that sleeping partners in old and wealthy firms might be the inheritors of a lucrative position, almost the equivalent of a landed estate. But these rare and extreme cases were unknown to the administration of a law which must deal with classes of income, and he repelled by anticipation adverse criticism, founded upon the close approximation of individual border cases of different classes. Trading companies and trading partnerships in the same line of business, at first sight, might appear scarcely distinguishable from each other, but there were essential differences in their action and in their liability to taxation. In a trading company the labour of the directors, managers, and clerks was all paid by salaries, and those salaries, the remuneration of skill and industry, were entitled to an abatement before they were taxed; the remaining profits—after allowance made for the reserve, which might equalize their distribution—were, as interest of capital, and in the character of dividends equitably liable to taxation. The discrimination between the earnings of industry and the usufruct of capital, which was practicable in the case of a public company, was not practicable in the case of traders or trading firms possessing capital. From some few the needful information might be obtained, but the great bulk of shopkeepers and traders would be unable, and certainly unwilling, to make a separate statement of their capital in trade. In a private trade or partnership, the management was carried on by the trader or partner, and the profits returned to the Inland Revenue Office were a combination of the earnings of industry and of the usufruct of capital, so that they ought not to be confounded with the dividends of companies, which, so far as the shareholder was concerned, were purely the usufruct of capital. It had been argued that the injustice and inequalities of the Income Tax were less serious and less felt when the rate was low, and that the best answer to objectors was to be found in maintaining it unchanged at its present ratio of 2*d.* in the pound. He could not think that suggestion satisfactory or statesmanlike. It was irreconcilable with the theory that an Income Tax was a War tax, and must be available in the event of such a lamentable contingency. For at what rate would the Income Tax as a War tax be levied? not necessarily at 2*d.* in the pound. In the great war at the commencement of this century the Income Tax was levied at the rate of 10 per cent during the years 1806 to 1815. And who would venture to foretell the limits within which the Income Tax might hereafter operate? The conclusion to be drawn from the suitability of the Income Tax as a War tax was this—that the favourable moment for its adjustment should be eagerly seized, and that the pressure of war expenditure should not be aggravated by the defective action of the tax through which it was supplied. But there remained in full force the objection to the present law that it was unjust, and that its injustice generated fraud. Whether the tax was 2*d.*, as now, or 2*s.* in the pound, as in 1806-1815, no Christian statesman could look with complacency upon a law which had such a character and entailed such consequences. And in the eye of him who was a God of Truth, and to whom a false balance was an abomination, it would be no excuse that the State profited comparatively little by its deliberate oppression of the people, and that the people saved but little when they escaped that oppression by a lie. That the rate was only 2*d.* in the pound was most opportune in this—that the tax falling so gently upon all could be recast free from the prejudice raised by the argument that the adjustment which relieved the heavy burthens of the one oppressively aggravated the burthen of the other. So far as it was felt, the deprecated result was the inevitable and legitimate consequence of the correction of inequalities. Assume that A, E, I, O, and U were charged to convey 50 stone to a given destination, and that, their course half done, they found that they have been carrying—A, 12; E, 11; I, 10; O, 9; and U, 8 stone. The equitable adjustment of the burden would relieve A and E, and throw a heavier burden upon O and U; but assuredly these two would have no cause for complaint, because at last they were made equitably to bear the weight from which they had too long escaped. The receipts of the Inland Revenue Department from voluntary payments of Income Tax were a most remarkable feature in the history of this impost. The recurrence of these remittances of Conscience-money has been commented upon as another evidence of national immorality. It should be looked upon in a very different light—as the bright gleam in a very dark and revolting picture—for Conscience-money was not the inadequate reparation for previous fraud, but the exhibition of that scrupulous and honourable instinct which would, in the same degree, be found in no other country under Heaven, and which in this country was found among men of every rank. It was a touching incident in the list of contributors of Conscience-money —"A Curate £1." Who can measure the importance to that curate of that £1, spontaneously rendered to the State in obedience to the dictates of his conscience? In England only could an Income Tax be successfully worked, for in England only they found the indispensable conditions of an advanced civilization and a high standard of morality. Although not to be named in the same breath with the removal of serious evils, an important advantage attending the consolidation of local and Imperial taxation in the same rate book, and on the same valuation, would be found in the economy of cost in their collection. A single charge-note might do the work of many, and might for instance collect at once the poor rate, county rate, local board rate, highway rate, house duty, and Income Tax, at periods alike convenient to the State and the taxpayer. The system of consolidated charge-notes had already been partially adopted, and might be made both more general and more comprehensive. In conclusion, he said he would make an appeal to that House, and first to the distinguished man who occupied the eminent position of First Minister of the Crown. In common with other Statesmen the Prime Minister had denounced the inequalities of the Income Tax; in common with other statesmen he had deprecated their continuance; but alone amongst Finance Ministers he stood conspicuous for having endeavoured to remove them. He appealed to the right hon. Gentleman to lend his powerful aid to the Resolution he proposed, and by its success insure the triumph of the just and generous principle which he had the sagacity and courage to enunciate 22 years since. And, then, might he say to the Members of that House, he had dealt with this great question with entire impartiality, but he must confess he had the deepest sense of personal interest in the success of his endeavours. During an unbroken period of half-a-century he had been intimately connected with the commerce of the City of London, and he was jealous for the honour of his profession—a profession which, in the case of his family, was one of inheritance—a profession which had been the foundation of England's greatness—and which —as it was one of the most independent and most beneficent, ought to be one of the most honourable. Did it command the honour which should be its due? In the course of 50 years he had seen the marvellous extension of our commerce, the wide development of our manufactures, the multiplication of our shipping, the acquisition of new colonies, the foundation of flourishing institutions, and the accumulation of princely fortunes. Would that he could say that the reputation of his country for honourable and fair dealing had kept pace with the growth of its material progress and prosperity. Could he say so when the records of the Inland Revenue exhibited so frightful a picture of habitual untruthfulness and fraud? But he laid the responsibility of these sins at the door of that House. The people were what their rulers made them, and the untruthfulness and fraud which they now lamented, was the fruit of unjust legislation; it was therefore that he beseeched the Members of that House to separate themselves from all complicity with the prolonged misrule which, for a whole generation, had been gnawing at the heart of English honesty. He beseeched them to purge their Statute Book from that shameful stain. He beseeched them to provide for Englishmen some alternative between a degrading submission to fiscal injustice, or an immunity purchased at the price of their own integrity. The right hon. Gentleman concluded by moving his Resolution.

Mr. SAMPSON LLOYD, in seconding the Motion, said, it was desirable in the interest of justice and true policy that the principles on which local and Imperial taxes were assessed should be just and fair. At present the valuations were made by different bodies on totally different principles. In reference to the poor rate, for example, the valuation was settled by the assessment committee of the justices. The House Tax and the Income Tax sometimes, but by no means always, followed the poor rate. It was stated that in the county of Norfolk there were no fewer than 12 scales of different values by which taxation was levied. In his opinion, the estimates of value on which this large revenue was raised ought to be one and the same. Not only did the basis of the estimate of value differ in this arbitrary manner, but the ratio of assessment also differed. It was desirable, however, that this taxation should all be levied on one and the same basis. Supposing nothing else were done, it would be a great relief if the basis of valuation for the House Duty and the Income Tax were assimilated in all places to the poor rate. He did not say this would do full justice, but it would remedy the existing evil to a great extent. If the House assented to the first part of the Resolution, it would be sanctioning, not a new principle, but one which was well known to our legislation as far back as the Plantagenets. He had presented Petitions from the Association of Chambers of Commerce of the United Kingdom, and also from his constituents—the one for a modification and the other for the entire abolition of the Income Tax. He (Mr. Sampson Lloyd) was entirely opposed to the abolition of direct taxation altogether, because it was evident that the poor paid in what they drank and smoked more than their fair proportion of taxes as compared with the rich. Besides, the continuance of some system of direct taxation afforded a simple and an easy means of raising a large revenue in a time of great emergency. It was just because he felt so strongly the necessity of continuing direct taxation as a portion of our Revenue that he respectfully asked the House to sanction the first part of the Resolution so as to pave the way towards remedying the injustice which excited so strong an agitation against the Income Tax. On the news reaching his constituents that the Chancellor of the Exchequer proposed another 1*d.* of the Income Tax, notwithstanding the large exemptions coupled with the proposal, a large meeting was called by the Chamber of Commerce, which was composed of some of the most intelligent merchants, shipowners, and traders, and they unanimously demanded the entire abolition of the Income Tax. Two or three of the causes of the agitation in the country were not touched by the present Resolution. One of these was the system under which the Income Tax was collected by a man's own neighbours and rivals in trade. He saw no reason, except that of economy, why a man should collect the Income Tax for his own parish, and have the opportunity of prying into the affairs of his neighbours. Another was the indiscretion of many local authorities in making vexatious surcharges. But the main point in which this tax was unjust was its incidence. If a man had £1,000 a-year from small houses, but had to pay 40 or 50 per cent out of that for repairs, surely it was very unjust that he should be taxed to the same extent as if he had £1,000 a-year coming in from the Funds. A man who had property which brought him in an income could leave that property to his children, whilst a professional or trading income died with the person who had earned it. It was said that £1,000 a-year was the same whether it arose from a profession or from Consols; but the test of value was that put upon it in the market, where a professional income would sell for, perhaps, 2½ or 3½ years' purchase, while an annuity from Consols would fetch 20 or 30 years' purchase. The two incomes, therefore, being of very unequal value, it was unjust to tax them alike; and this unequal taxation only tended to multiply dishonest returns. They had been told that any change in the mode of assessing the Income Tax would lead to more anomalies than existed under the present system; but they had not heard that there would be any difficulty in making an assessment upon the net instead of upon the gross amount of income. The Government acknowledged the principle for which he contended when they exempted from tax the premiums paid upon an insurance on life. If one man spent £200 a-year in educating his children and another £200 upon a life insurance, that he might leave the money to his children, in one case the £200 would be exempt from Income Tax and the other not. Then it was said—"If you reduce the tax on precarious incomes, why not reduce it in the case of life tenants, life interests, and pensions?" The answer was that these incomes, though not perpetual, were certain, while the former class was neither perpetual nor certain. It was not to be supposed that precise justice could be done in every case; but justice would be done as between great classes, instead of, as now, palpable injustice. There was greater agreement as to the injustice of the Income Tax than existed, perhaps, on any other social question, and he hoped the Government would, at least, try to remedy a grievance so widely felt and, in his opinion, so well founded.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "Local and Imperial Taxation, when they have a common incidence, should have a common basis of valuation, and should alike be assessed upon the net rental or value of Real Property; and that Imperial Taxation, when levied upon industrial earnings, should be subject to such an abatement as may equitably adjust the burthens thrown upon intelligence and skill as compared with property,"—(*Mr. Hubbard,*)

—instead thereof.

Mr. JACOB BRIGHT said, so far as he understood the Motion before the House, it appeared to arise from a desire to see the Income Tax made equitable. He agreed with the hon. Gentleman who moved it so far. He had observed that the question had been very often discussed in that House, and that it was widely popular throughout the country. He had noticed also that it never made any progress in that House. His object in rising at the present time was to discuss very briefly the cause of the present increase of the Income Tax. They had, as he understood it, an estimated income of £77,270,000, and the Government came down to the House and told them that it was unable to conduct the business of the country upon that sum. He hoped that the country would note that condition of affairs, and he should be much surprised if it did not note it and remember it for some time to come. At a time of profound peace, when they had complete internal tranquillity—when the path of any Government was more smooth than probably within living memory—at such a time they were told that the Government could not conduct the business of the country on a sum exceeding £77,250,000, and they proposed to put an additional tax upon the incomes of the country, when to the knowledge of most Members of the House, business incomes had of late been reduced and might have to be much further reduced. The speech of the Chancellor of the Exchequer the other night was an instructive one. They learnt from it that the deficit of the Government did not arise from Votes for elementary instruction nor from the doubtful policy of voting money in that House for the relief of local taxation, nor did it arise from any expenditure for the benefit of any single individual; but it arose from the never-ceasing demands of the Army and Navy. There was one passage in the speech of the Chancellor of the Exchequer which struck him very forcibly. It was that where he gave them a moral lecture upon the indebtedness of the country. If that had been spoken by the Prime Minister instead of the Chancellor of the Exchequer he should have suspected that it was a piece of studied sarcasm. It seemed to him to be an extraordinary thing that they should have a sermon upon the Public Debt of the country by the Chancellor of the Exchequer, when sanctioning an expenditure so enormous that if it was allowed to continue it would be impossible to go on reducing the Debt. He was as willing as any Member of the House to give a generous support to the military and naval defence of the Empire; but he maintained that they had already done more than was requisite; and if the House were to determine that the amount expended two years ago should be the maximum amount in time of peace, not a single Member of the House would have any anxiety on the subject, and everything could be accomplished in the way of defence that anyone could desire. There appeared to him to be an irrational desire on the part of many persons to imitate the military States of the Continent, forgetting that our circumstances were totally different, for they had no conquered territories to defend or lost territories to recover. They were surrounded by the sea, and they pursued so pacific a policy that they had to fear neither the hostility, nor the suspicions of any civilized country. But they were fast becoming a great military Power. They were told in the beginning of the Session that they had more than 500,000 armed men; and although it might be said they were not the Regular Army, yet he remembered that the Secretary of State for War maintained that every branch of that force was in fighting condition. Not only had they an Army of 500,000 men, but they had, or should have a mighty Navy. If they had not, what had become of the £200,000,000 of money voted during the last 18 years? He doubted if it could be shown that the combined maritime Powers of Europe spent so much over their Navies during the last 18 years. France, Prussia, Italy, and Germany combined were now spending only a sum of £12,000,000 a-year, and we were asked to spend between £11,000,000 and £12,000,000; and he presumed that in a short time it would get to a still larger amount. He had asked himself the question how it was that they had this growing expenditure. Nobody in the country asked for it. If a candidate went to a constituency he would be more readily selected if he was in favour of economy than if he was in favour of increased expenditure. Among the causes for this growing expenditure were two, one of which was that they had a feeble Government, and the other was the peculiar constitution of that House. They were told by those who had investigated the matter that more than one third of its Members belonged directly or indirectly, to the fighting interests of the country. They were a great trade union, and they were in the habit of supporting every proposition for fresh expenditure. He objected to this growing expenditure on various grounds. He objected to it in the interest of the Services themselves. He believed that countries less wealthy than we were managed those matters better than we did, because they were less wealthy. If the Army and the Navy had unlimited means at their command it tended to demoralize them. He certainly thought that both the Army and the Navy might be better managed, and he did not believe that the country had confidence as to the good management of either. It was not money that the Navy wanted, but discipline, knowledge, and a greater sense of responsibility on the part of those high in command. He objected to the expenditure in the interest of the commerce of the country. If they had not had a large surplus for some years instead of a deficit they would not have had the fetters of trade struck off, and a number of duties removed which had enabled a great number of people to live who otherwise could not have lived here. As representing a great commercial constituency, he was there to declare that they had yet duties to remove in order to make trade more free, and that the commercial condition of the country was not so good that they could afford to neglect them. They got £4,000,000 from articles of innocent consumption, and if the duties yielding this sum were removed the trade of the country would grow. He objected to this expenditure in the interest of the taxpayer himself. He had been often told that this was a wealthy country. There was, no doubt, a very wealthy class in this country to whom the addition of a few millions of taxation was of comparatively small consequence; but there was also a very poor class which from infancy to old age had a precarious existence. He would refer to a fact which came under his observation a few weeks ago. It was stated that there was a proposition to build 1,000 houses in London of one room each for a number of poor families. Why, £1,000,000 extra money spent this year on the Army and the Navy would build 10,000 houses of a better class than many of their poor inhabited, and in 10 years it would build ten times 10,000. He would say to the Party opposite, that although it was always ready to vote money to an extravagant degree, it was never found when Motions for economy were made walking into the Lobby with those who made them. The tables of figures published by that House formed in themselves a history of successive administrations. If they came to a time when the expenditure was increasing, and when duties ceased to be diminished or removed, they might be sure that the Tory Government was in power. And if they came to a time when the expenditure was less and duties were being done away with, they might be almost sure that a Liberal Government had then the Seals of office. When the present Government came into power they began to increase the expenditure cautiously; but they were now going by leaps and bounds. It was just the same when they were in power in 1867. They put a stop to the removal of taxes and duties; and when they were in power in 1859 the same thing occurred. On the old plea of the re-construction of the Navy they voted £1,000,000 of the people's money away. In 1852 it did not take place because they were soon dispossessed of office. In conclusion, he affirmed that the Government was pursuing a course of profligate expenditure. They might do it for a short time with impunity, but the day of retribution would come. In the Election of 1868 one of the strongest weapons in the hands of the Liberal Party which they used against their opponents was the gross extravagance of 1867 and 1868, and he had no doubt it lost hon. Members opposite many seats. They would have the same thing at another Election, and the same result would follow. Gentlemen on the opposition Bench appeared to be very comfortable under this increased expenditure. He might say that they scarcely led the Opposition on this question; but he ventured to prophesy that when the next Election came, however silent they might be now, they would use this as a great weapon, and would use it with effect.

MR. SCLATER-BOOTH said, he would not follow the hon. Member in the remarks which he had just made; because, in making them, he seemed to have anticipated a discussion which was to come on at a later period of the evening. He would, however, say for himself, and he thought he might say for the Chancellor of the Exchequer, that the subject of the increasing expenditure of the country was one that caused the Government great anxiety, and that there was every desire to deal with it. He admitted that there were anomalies connected with the tax to which his right hon. Friend the Member for the City of London (Mr. Hubbard) had called attention, but successive statesmen had found them insuperable. On two former occasions this Session his right hon. Friend had brought under the notice of the House that portion of his Motion which applied to what he considered the injustice of the tax under Schedule A., and on the present occasion he had extended his remarks to Schedule D. as well. The amount of the tax levied under A, B, and D, formed the great bulk of the whole. It was shown by the right hon. Member for Greenwich (Mr. Gladstone) many years ago, in a celebrated speech, that the payers of Property and Income Tax under A, B, and D paid three-fourths of the whole tax levied, and the same might be said now. The whole tax levied in the year ending April, 1874, amounted to £8,668,000, and the three Schedules A, B, and D paid out of that sum within a fraction of £5,000,000. The Motion of his right hon. Friend contained two main charges against the Income Tax—one was the injustice of levying the tax on the gross rental with respect to land and houses, and, secondly, that of charging precarious and temporary incomes at the same rate as if they were permanent. On these two points he could bring forward no better or more convincing arguments than were adduced by one of our ablest financiers in 1853. The right hon. Gentleman then Chancellor of the Exchequer (Mr. Gladstone) exhausted the whole subject with reference to these Schedules. He showed conclusively that, whatever might be said as to the injustice done to the payers of the tax in those two Schedules—on totally different grounds—the one had the effect very much of cancelling the other. His right hon. Friend could hardly expect—perhaps he hardly desired that the House should accept this Resolution. He had brought forward a similar Motion every year since he had had a seat in the House, and made statements and used arguments identically the same; but in 1861, when the House granted him a Select Committee, which sat for a lengthened period, it arrived at conclusions which were not in accordance with those of his right hon. Friend who was the Chairman of that Committee. His right hon. Friend seemed to think that the House would be more inclined now than before to adopt his views; but he was rather inclined to think the reverse. The tax was no longer levied for a series of years; it was levied only from year to year. The question, therefore, of precarious incomes did not arise. The object was to tax the available income of the year, and no inquiry was necessary as to the origin or permanence of the income. The House, moreover, for the same reason, had full command over it. He admitted that that was no argument against the re-construction of the tax, if the House would undertake such a task; but it had never shown any real desire to face this difficult problem; the greatest financiers of modern times had shrunk from such a work; and he should be very sorry for the House to adopt the Resolution, as it would bind them to a task which might prove to be impossible. The right hon. Gentleman said that "local and Imperial taxation, when they have a common incidence, should have a common basis of valuation," and that was the foundation of the Valuation Bill now on the Table of the House. But when his right hon. Friend went on to say that the tax should be assessed on the net, instead of on the gross rental of real property, although entirely agreeing with him as a matter of argument and justice, he was obliged to differ from him on the ground of expediency; because he was convinced that the amount by which houses and land were mulcted, so to speak, under the arrangement to which his right hon. Friend objected, was as nearly as possible the amount which the Income Tax payers under Schedule D would desire to be relieved from if the deviation which it was sought to make in their favour was carried into effect. He did not think this was an opportune time for the question to be raised. The tax being now levied only from year to year, Parliamentary control could be brought to bear upon it in the most effectual manner. It was always in the power of Parliament to bring the question forward and press it on the attention of Government. He was willing to make the admission from his Departmental point of view that the transference of the incidence of the tax under Schedule A from gross rental to rateable value would be a logical and reasonable concession, that it would give greater facilities in the collection of the tax, and that it would cause it to be paid with less reluctance; but he believed that the questions that would arise in dealing with Schedule D were much more difficult, and he was willing to allow the anomalies under Schedule A to remain, so that they might cancel those under Schedule D. The provisions of the Bill he had introduced would promote the future working out of the question without any alteration in the law of the Income Tax itself. In conclusion, he could only add, that although there was much of good theory and sound logic in the proposal, there were practical considerations which caused him to ask the House not to adopt it.

Mr. MUNTZ supported the Resolution of the right hon. Member for the City of London, so far as it aimed at a common basis of value, for he could never understand why the Income Tax should be levied upon an imaginary value. It was contrary to the principles of law as well as of justice, for Lord Mansfield had laid it down as fully understood, that all taxes were to be levied on profit only, and that where there was no profit there ought to be no tax. It must not be inferred that the tax was popular because little was heard about it, for he often received remonstrances about it from his own constituents. The machinery of the tax was so valuable that he would retain it, though he would reduce the tax as low as possible. The adoption of a common basis would save a great deal of trouble, and it would not involve a serious loss to the Exchequer.

Mr. CHADWICK said, the right hon. Gentleman could not know much of the recent discussions on this subject, or he would not have referred to the speech of 1853, delivered by "that great Statesman the present Member for Greenwich," which, in regard to Schedule D, was full of fallacies. He desired to suggest that a Committee or Commission would have no difficulty in obtaining valuable information and opinions from most experienced accountants and commercial men, which would immensely facilitate the adjustment of the tax in the direction suggested by the right hon. Member for the City of London. At present it was well known that the most barefaced frauds were perpetrated. There were even men who made a profit out of the Income Tax, for they returned much less than they received, or deducted on the payments they made, so that they really committed a double fraud. Less than 1,000 persons returned their incomes under Schedule D as more than £10,000; whereas the Government must know that there were many large towns in the Kingdom where there were within a radius of a few miles nearly that number of persons whose incomes were in excess of £10,000. The frauds were therefore palpable, and the Government were to blame for not taking steps to remedy such a state of things. He had hoped the Government would have availed themselves of this opportunity of redressing a great wrong. Inquiry would soon disclose the insufficiency of the returns on which the tax was at present paid, and the means of equitably adjusting the same.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided:*—Ayes 156; Noes 84: Majority 72.

Mr. RYLANDS said, that as he was precluded by the Forms of the House from taking a division upon the Motion of which he had given Notice, expressive of the regret of the House that the progressive increase of expenditure recommended by Her Majesty's Government should have made it necessary for them to propose increased burdens on the people, it was his intention to move it as an Amendment on the second reading of the Customs and Inland Revenue Bill.

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

Ways and Means—*considered* in Committee.

(In the Committee.)

(1.) Motion made, and Question proposed,

"That, towards raising the Supply granted to Her Majesty, there shall be charged, collected, and paid for one year, commencing on the sixth day of April, one thousand eight hundred and seventy-six, in respect of all Property, Profits, and Gains mentioned or described as chargeable in the Act of the sixteenth and seventeenth years of Her Majesty's reign, chapter thirty-four, the following Duties of Income Tax (that is to say):

For every Twenty Shillings of the annual value or amount of all such Property, Profits, and Gains chargeable under Schedules (A) (C) (D) or (E) of the said Act, the Duty of Three Pence;

And For every Twenty Shillings of the annual value of the occupation of Lands, Tenements, Hereditaments, and Heritages chargeable under Schedule (B) of the said Act:—

In England, the Duty of One Penny Halfpenny; and

In Scotland and Ireland respectively, the Duty of One Penny Farthing."

—(*Mr. Chancellor of the Exchequer.*)

Mr. CHARLES LEWIS moved to leave out the words "Three pence," and insert "Two pence." He protested against the policy of the Conservative Party in respect to this tax. He believed that if the House consented to continue it at 2*d.*, instead of 3*d.*, other means would readily be discovered of providing for the service of the year. The tax in itself was inequitable and unjust, and ought to be resisted as strongly as possible. As to exemptions, there was no principle in them whatever, and there was no reason why a man with £400 a-year should be allowed an abatement any more than one with £500 or £600 a-year. He regarded the proposal of the Chancellor of the Exchequer as an endeavour to make things pleasant, and by some rule of thumb to gild the pill which was to be forced down the throats of the people in order to induce them to increase the Income Tax. The time had now come when it was necessary that the public should be treated with candour by the Government. He wished to know if the tax was to be retained as a part of the permanent Revenue of the country; and he was afraid that the Conservative party and a Conservative Government had done all in their power to make it permanent. The policy of the Government in reference to the tax was opposed to the pledges which had been given to the country at the last General Election. ["No, no!"] He contended that it was, for the great question raised by the right hon. Gentleman the Member for Greenwich (Mr. Gladstone) was whether the Income Tax should or should not be continued. The right hon. Gentleman at the head of the Government stated that the abolition of the Income Tax had always formed part of the Conservative policy of the country. Almost all the Conservative candidates supported that cry; but instead of doing what was promised, they had done all they could to perpetuate the tax. If he went alone into the Lobby, he should oppose the proposition to increase a tax which sapped the foundations of public and private morality, and which had been condemned as dishonest and unjust by every succeeding Chancellor of the Exchequer.

Motion made, and Question proposed,

"That, towards raising the Supply granted to Her Majesty, there shall be charged, collected, and paid for one year, commencing on the sixth day of April, one thousand eight hundred and seventy-six, in respect of all Property, Profits, and Gains mentioned or described as chargeable in the Act of the sixteenth and seventeenth years of Her Majesty's reign, chapter thirty-four, the following Duties of Income Tax (that is to say):

For every Twenty Shillings of the annual value or amount of all such Property, Profits, and Gains chargeable under Schedules (A) (C) (D) or (E) of the said Act, the Duty of Two Pence;

And for every Twenty Shillings of the annual value of the occupation of Lands, Tenements, Hereditaments, and Heritages chargeable under Schedule (B) of the said Act:—

In England, the Duty of One Penny; and

In Scotland and Ireland respectively, the Duty of One Penny."—(*Mr. Charles Lewis.*)

Mr. RYLANDS said, that he desired in support of the Amendment to recall attention to the address issued to his constituents by the right hon. Gentleman the Member for Buckinghamshire during the last Election. The right hon. Gentleman then stated as a positive fact that the abolition of the Income Tax was one of those measures which the Conservative Party had at all times favoured. He (Mr. Rylands) well recollected the use which was made of that declaration during the contest. He was then standing for a constituency, and when his friends put out a red placard inviting and calling upon the electors to vote for him and the repeal of the Income Tax there immediately afterwards appeared on the other side a blue placard inviting the electors to vote for his opponent and the repeal of the Income Tax. Well, there could be no doubt that this statement of the right hon. Gentleman had its effect on the public, but the public were deceived. The Chancellor of the Exchequer, speaking a short time since at Manchester with his usual ability and with his usual clearness of insight, said that in 1874 the people had an idea that the advent to power of a Conservative Government was to be attended by all sorts of blessings, that the quart pot would in future hold three pints, and the sovereign pass for 25*s.* and other things of the same kind. There was no doubt a general feeling amongst all classes that if the Tories came into power it would have a most beneficial influence upon, and would add to the prosperity of the community. The Tories were to remove many causes of popular complaint, and amongst other things they were, it was believed, ready to go as far as the Liberals in repealing the Income Tax. The real truth was that the people of this country were thoroughly gulled by the statements contained in the address of the right hon. Member for Buckinghamshire, although one would have supposed that any enlightened constituent would have looked back to the political history of the country, and he would then have found that when the right hon. Gentleman came into office in 1867 the first thing he did was to add 1*d.* to the Income Tax. He added that 1*d.* just for the same reason that the Chancellor of the Exchequer had just added 1*d.* to the Income Tax, because a Conservative Government began making things pleasant all round by spending money, and if they spent money they must have more taxes. But the right hon. Gentleman next year put on 2*d.* more on the Income Tax, so that in a short period, from 1867 to 1868, the Conservative Government added to the expenses of the country to a large amount, and added also 3*d.* to the Income Tax. It would have been just as true for the right hon. Gentleman to have said that the Conservative Party was in favour of economy in the public expenditure as that the abolition of the Income Tax was one of the measures which the Conservative Party had at all times favoured. The fact was that the constituents of the hon. Member for Londonderry (Mr. Charles Lewis) had been gulled like his own, and the only difference was that while the hon. Member for Londonderry got in, he was rejected. However, at the next Election he did not think that the right hon. Gentleman the Member for Buckinghamshire would select the repeal of the Income Tax as one of the great questions of the Conservative Party. They would not hear anything of the kind from him, nor did any one know what we should hear from that quarter; but Conservatives would certainly hear from their constituents complaints of the great increase in expenditure, and they would be called to account for having supported the continuance of the Income Tax.

The CHANCELLOR of the EXCHEQUER: Sir, I think we have heard quite enough of these extraordinary charges of breaches of faith and quotations or misquotations from election addresses. Upon a proper occasion—and on the present occasion if the Committee should think it a proper one—I shall be perfectly ready to enter into a discussion of the whole policy of the present Budget, and to discuss the principle upon which the Government have proceeded in the proposals they have made. I do not know whether it is the desire of the Committee that I should enter into that subject now. ["No, no!"] But it is absolutely necessary that there should be a clear understanding as to what is said to be a breach of faith on the part of Members of the Government. What are the circumstances of the case? There is no doubt that from time to time we have in Parliament and out of Parliament expressed our sense of the difficulties that have been observed in the Income Tax, and the objections we felt to the structure of the tax; and when challenged we have put forward our views very freely on the subject. I cannot tax myself with any inconsistency whatever in the language I have used at different times upon this subject. I have never denied that there is force in the allegations made with regard to inequalities of the Income Tax; but I have said those inequalities were of the essence of the tax, and that it must always be subject to them so long as it is retained. I have given that as one reason why we should not have recourse too freely and unnecessarily to the tax. But what took place at the dissolution of the last Parliament? The right hon. Gentleman the Member for Greenwich (Mr. Gladstone) addressed to his constituents, and through them to the whole country, one of the most remarkable electioneering manifestoes that it was ever the lot of any one to read. In it he undertook to make something in the nature of a sketch Budget; and after stating what were his views as to the prospects of the Revenue and of a very large surplus, he indicated the mode in which he would apply that surplus. And what were the modes in which he proposed to apply it? I forget the precise words, but they were to this effect: that he proposed, not only to abolish the Income Tax, but also to make great remissions in local taxation, and to accompany those measures with other remissions which would be for the general benefit of the consuming classes of this country. And then the right hon. Gentleman went on to say that, although he had undoubtedly the prospect of a very large surplus, it would not be so large as to enable him to do all these things out of the sum at his disposal, and it would therefore be necessary that there should be certain re-adjustments of taxation. What was the answer which, upon the spur of the moment, my right hon. Friend now at the head of the Government gave? He remarked, in the address to his constituents, a copy of which is before me, that—

> "The Prime Minister has addressed to his constituents a prolix narrative"—and so forth—"in which I find nothing definite as to the policy which he would pursue except this—that, having a prospect of a large surplus, he will, if retained in power, devote that surplus to the remission of taxation which would be for the benefit of the consuming classes. But what is remarkable in his proposals is that, on the one hand, they are accompanied by the disquieting information that the surplus, in order to make it adequate, will be enlarged by a re-adjustment, which must mean an increase, of our existing taxes; while, on the other hand, his principal measures of relief will be a diminution of local taxation and the abolition of the Income Tax, measures which the Conservative Party have always favoured, and which the Prime Minister and his friends have always opposed."

There is no question that we have favoured remission of taxation, and especially that we have been desirous to reduce local taxation and the Income Tax. But we were told that there must be re-adjustments, and if those hon. Gentlemen who have so painfully studied the address of my right hon. Friend had been equally attentive in studying the speeches he made they would have found that he pointed out that abolition of Income Tax and adjustment of local taxation were objects to be pursued, not at the expense of new taxation, but by taking advantage of the gradual development of the wealth of the country, and the proper application of such surpluses as might arise. As I am challenged myself upon the matter, I may state that when I addressed my constituents I said—"Do not be deluded by the prospect of an abolition of the Income Tax, because it is not to be an abolition gratis, but accompanied by re-adjustments; beware until we see what it is going to be." But what was the case as we put it to the House when we came into power? I would venture to refer to my own speech when I brought forward the Budget in 1874. I pointed out that our large surplus, as the right hon. Gentleman had warned us, was not enough to accomplish all he had proposed without a re-adjustment, and the decision we had arrived at was that we would not undertake any of those re-adjustments, but that we would endeavour as well as we could to deal with those subjects presented to our notice on which we felt strongly so far as the surplus would enable us to go. Was there any pledge we had ever given with regard to the abolition of the Income Tax that would compare with pledges we had given to deal, if possible, with local taxation? Would it have been possible for us, without a real and gross breach of faith, to have made our proposals, setting aside the question of local taxation, in order that we might go on with the abolition of the Income Tax? We knew that it was impossible. After having put local taxation first in my Budget speech as being the point to which we must direct attention, I said the complaints as to inequalities of local taxation were justly made; and then I went on to discuss how far the Income Tax question was connected with the other question. I said—

> "It may be taken for granted that if you do away with the Income Tax some means must be found of making the owner of personal property contribute towards the burdens of the country. Possibly, if you retain the Income Tax, it will be found that his contributions to that tax supply the deficiency; but that is a point which requires careful consideration, and the whole position of the Income Tax is one of such great magnitude not only financially, but as I may even say, politically, that it would be wrong and culpable in us if on so short a notice we were to come forward with a definite or decided proposal with respect either to the absolute remission or the absolute perpetuation of that tax."—[3 *Hansard*, ccxviii. 661.]

That was the position which we took up in 1874, as I think justly and in entire consistency both with the pledges we had given, directly and indirectly, with regard to the Income Tax, and the language we had used during the election which immediately preceded our assumption of office. If those were not proper views then was the time to have challenged them. The attention of Parliament ought to have been called to the point, and we ought to have been told that we must lay aside everything for the purpose of dealing with the Income Tax. What has taken place since? Have we had any opportunity of remitting taxation at all? No; unless we had been prepared to do that which we said we were not prepared to do, and go into those great questions of re-adjustment of taxation, it has not been in our power. We had no surplus to deal with last year. This year we have a deficit. Is it possible for us, without doing that which my right hon. Friend distinctly repudiated—namely, attempting a re-adjustment of taxation, to act upon any such policy as the abolition of the Income Tax? Is there any other tax to which we can have recourse at this moment in order to meet the deficit with which we have to deal? Is there anything in what we are now doing that at all fetters or ties our hands with regard to any policy that may be hereafter possible for us to attempt with regard to the Income Tax? We are dealing as well as we can with this difficult question of local taxation; but we are unable to go fast. You tell us we do not go fast enough, and we agree; but we plead inability and the poverty of the land. ["Oh, oh!"] By that I mean poverty of the Exchequer in the matter of revenues which we can apply to it. We are endeavouring, as well as we can, to proceed with measures which may enable us to redeem those pledges, and we utterly repudiate the idea that we have in any way thrown over or fallen away from pledges that we have either directly or indirectly given. As I said before, I do not imagine that at the present time the Committee desire me to go into explanations in justification of our financial policy; but, at the same time, if challenged, I shall be ready to do so.

Mr. CLARE READ said, he did not agree with the hon. Member for Londonderry (Mr. Charles Lewis) that the Chancellor of the Exchequer had made a mistake in adding 1*d.* to the Income Tax; the real mistake was made two years ago when 1*d.* was taken off. He was astonished to hear it alleged that Conservative candidates in England went down to their constituents and advocated the repeal of the Income Tax. He did not believe that a single Conservative candidate for a county mentioned the tax with a view to abolition. For his own part, he distinctly repudiated it, believing it was the only way to tax the rich man's money bags, and the only chance of making personal property contribute to local taxation, or in any way relieve local burdens.

MR. WHALLEY congratulated the right hon. Gentleman the Chancellor of the Exchequer, in the name of the working men with small and hard-earned incomes, on having exempted them from further payment of the Income Tax. He, however, wished to point out that the Income Tax was demoralizing to the country. He maintained that the tradesmen did not care whether the Income Tax was 3*d.*, 4*d.*, or 6*d.* in the pound. He did not pay it; he put it on his customers. He (Mr. Whalley) maintained that the Income Tax was the most improvident and the most foolish tax that could be imposed; and he had presented petitions signed by tens of thousands of persons against it.

MR. WHITWELL said, the feeling on this question of the Income Tax had been shown by the rejoicings with which reductions had been received in the country. He regretted that increased expenditure should have made it necessary to impose an additional 1*d.* to supply the deficiency and relieve local taxation.

Question put.

The Committee *divided:*—Ayes 52; Noes 113: Majority 61.

Original Question put, and *agreed to.*

(2.) Motion made, and Question proposed,

"That the exemption granted by the Act of the fifth and sixth years of Her Majesty's reign, chapter thirty-five, to persons whose incomes are respectively less than One Hundred and Fifty Pounds a-year, shall be restored, and, in lieu of the relief granted by Section Twelve of 'The Customs and Inland Revenue Act, 1872,' to a person whose income, although amounting to One Hundred Pounds or upwards, is less than Three Hundred Pounds, a relief or abatement to the extent of Duty upon One Hundred and Twenty Pounds shall be given or made to a person whose income, although amounting to One Hundred and Fifty Pounds or upwards, is less than Four Hundred Pounds."

MR. HAYTER said, it seemed to him that the Chancellor of the Exchequer was introducing a dangerous principle in making these exemptions and abatements. The two classes who would be mainly affected were the artizans, such persons as had made themselves conspicuous by strikes, and the small traders in the small country towns. In the larger country towns the traders were more interested in the reduction of the Income Tax than in the proposed exemptions. The Chancellor of the Exchequer had been obliged to increase the Income Tax on account of the enormous expenditure on the Army and Navy; but, at the same time, he thought they were doing a dangerous thing in saying that those men who now exercised so large an influence in the return of Members to that House should be exempted from what was generally regarded as a very obnoxious and inquisitorial tax.

MR. MONK said, he did not know on what principle these exemptions were to be extended. They all knew that before the Session closed Supplementary Estimates would be presented to the House; and he thought it would be far better that the Chancellor of the Exchequer should keep a good balance in hand rather than extend these exemptions, which no ingenuity on the part of the right hon. Gentleman could justify.

THE CHANCELLOR OF THE EXCHEQUER said, the popular notion that the exemptions would affect chiefly the class recently enfranchised, and who exercised a large amount of influence in the election of Members of that House, was not well founded. The working classes, those working for weekly wages, did not, as a general rule, pay Income Tax, even though their incomes might amount to more than £100 a-year. It was extremely difficult to collect the tax from that class. A few of them might be brought within the range of the Income Tax collector, but workmen were so continually going about from place to place that it was very difficult to collect from them; and, as a matter of fact, he was informed by the Inland Revenue authorities there was no class which avoided payment of Income Tax so much as the men who were working for wages. Many of these working men frequently made £2 or £3 a-week, and it would be very hard that while such men were exempted from payment the smaller tradesmen who were by their side, and who were very much under the public eye, should be saddled with the tax. The principle laid down by the hon. Member for Greenwich seemed to be that it was reasonable to exempt working men who worked for wages. The hon. Gentleman (Mr. Hayter) referred to the hardships endured by one portion of the trading classes; but it was the struggling professional man and the struggling tradesman on whom the Income Tax pressed most severely. In reply to official inquiries which he had made the other day, he was informed that those who would profit most by the remission were a very large number of clergy and ministers of all religious denominations, a large number of officers in the Army and Navy, a large portion of the Civil Service, struggling men in all professions, some of whom were just getting their heads above water, many tradesmen, and the widows and single daughters of all these classes. These were the classes which it had been sought to relieve, for the proposal to diminish the heavy charges on small incomes was at the basis of the whole. He thought the changes proposed would turn out to be a satisfactory and moderate way of carrying out the views expressed by a large number of Gentlemen on both sides of the House. He hoped the Committee would accept the proposal, not as designed to "gild the pill" of the Income Tax, but to grant relief where taxation bore most heavily.

Mr. DODSON said, he thought the question of exemptions, when there was a necessity for increasing the Income Tax, was a very important one. He understood that the reduction in the Revenue otherwise derivable from the additional 1*d.* would amount to £400,000. Suppose the exigencies of the country should in some future year require the tax to be raised to 6*d.* or 1*s.* in the pound, it would become a very serious question for them to make a proportionate sacrifice on incomes below £400 a-year. More than that, if they made this precedent when the tax was at a low figure, they would be expected to multiply exemptions whenever they raised the tax to a higher amount. The result would be that the burden would become one imposed by the many upon the few. The only safe way, he thought, in which the tax could be levied was to adhere to some broad basis, and to make its incidence generally felt. The mode adopted by the Chancellor of the Exchequer seemed to him to be likely to produce a public evil. He should like to know why the right hon. Gentleman only calculated upon the sum he had stated to be collected within the present year, when the estimate of the return from the additional 1*d.* was so much larger?

Captain NOLAN said, he supported the scheme on account of the exemptions, which, he thought, did not go far enough, believing that the amount necessary to purchase the necessities and comforts of life ought to be exempted altogether. If the principle of the proposition was agreed to, all incomes ought, for the purpose of the Income Tax, to be subject to some exemption.

Mr. LOWTHIAN BELL said, he had no doubt that any attempt to levy an Income Tax upon working men would result in failure; but it would be important to ascertain to what extent and in what proportion they contributed their share towards the expenditure of the country by indirect taxation.

Mr. COLLINS feared that the Chancellor of the Exchequer had over-estimated the Revenue, because the great industries of the country were in a very bad condition. He regretted the largeness of the expenditure; but he did not see how the Chancellor of the Exchequer could have dealt with it in a more practical way. He dissented altogether from what had been said about purchasing an additional taxation with an extravagant amount of exceptions.

Mr. HENLEY said, he had no doubt that the extension of exemptions was a very convenient course for the Government to take, because it made their measure a more popular one; but when they departed from the principle which had been understood for some time, that wages should be the limit of exemption, it was not very easy to say where they could stop. When once they began to make arbitrary exemptions, and to say that incomes of £400 should be exempt, while those of £500 should not, they were laying, without, perhaps, intending it, the sure foundation of a graduated Income Tax.

Mr. E. J. REED said, he thought that if the Income Tax were to be continued it would be equitable to strike off a small fixed sum from every income.

Mr. WHITWELL said, that there ought to be an omission from all incomes of £250 or £300 a-year.

THE CHANCELLOR OF THE EXCHEQUER said, he had discussed this principle of exemption at great length with his advisers, and he had come to the conclusion that, on the whole, the principle adopted was the best. With regard to the produce of the tax within the year, there would be a collection of four-fifths of the tax within the year, and that would leave one-fifth for the year following. It would, therefore, result that a tax of 3*d.* in the pound with no other exemptions than those now existing would yield for each 1*d.* £1,966,000; and the tax with the new exemptions would yield £1,836,000.

MR. GOSCHEN remarked that the right hon. Gentleman had stated that he had discussed at great length with his official advisers the principles which had guided him in these exemptions, but he had not stated those principles to the House. Probably he would give these more elaborate reasons on another occasion. He wished to know whether they were to look for some further movement in the direction of the relief of local taxation? The right hon. Gentleman stated that the Government were prepared to carry out the pledge given in the Queen's Speech, and that some relief would be given by means of the Prisons Bill. He wished to know whether, if that relief were to be given in the present year, it would be compatible with the present Budget; was there any probability of Supplementary Estimates being proposed, or would the relief from local taxation be deferred to a future year? The question was one of very great importance.

THE CHANCELLOR OF THE EXCHEQUER said, there was no doubt of the importance of the principle of exemptions, and if the right hon. Gentleman (Mr. Goschen) had not just entered the House, he would have known that six or eight hon. Members had spoken, and that he (the Chancellor of the Exchequer) had given his reasons. The difficulty was, when any fresh Member came into the House that he should be expected to repeat them.

MR. GOSCHEN said, he had referred to the reasons which the right hon. Gentleman had mentioned in discussing the matter with his advisers.

THE CHANCELLOR OF THE EXCHEQUER said, he had already stated the reason why he proposed to extend the limit of exemption to £150, and that basis had been accepted by many hon. Gentlemen at the other side of the House. The hon. and gallant Member for Galway (Captain Nolan) had suggested that all incomes ought to be subject to some exemption; but he thought the hon. and gallant Gentleman, and those hon. Members who had expressed a similar view, would see that above a certain level—and that not a very high level—it would really not be worth while to make a deduction of £200 or £300. With respect to local taxation, his right hon. Friend the Secretary of State for the Home Department would shortly after Easter introduce his Prisons Bill; but he might say that the provisions of that Bill would not tend to disturb any of the proposals he had submitted to the Committee.

MR. GOSCHEN said, he thought the House was entitled to know whether, notwithstanding the statement in the Queen's Speech that a Bill would be introduced giving certain relief to local taxation, no relief would be given. [The CHANCELLOR of the EXCHEQUER: The Speech did not say in the year.] He (Mr. Goschen) admitted that was so; but it was expected when a measure was promised in that way that it would be introduced in the year.

MR. ASSHETON CROSS said, he hoped that the right hon. Gentleman would restrain his highly laudable curiosity for a short time, as immediately after Easter the proposals of the Government with respect to local taxation would be introduced. They would be found to meet the conditions of the Royal Speech relative to local burdens, and he hoped they would be of great value in the administration and economy of expenditure with regard to prisons.

MR. CHILDERS pointed out that by the proposed exemptions a large number of persons would actually pay less Income Tax this year than they did under the 2*d.* tax. All persons with incomes under £200 received not merely a relative but a positive benefit, for they would pay less for the tax at 3*d.* now than they did formerly at 2*d.*, and the same was the case with persons whose incomes ranged between £300 and £350, while those whose incomes were between £200 and £300 would pay more. In 1873 it appeared that 585,000 persons paid the tax under Schedules D and E. Of these, 397,000 paid under £200; 79,000 between £200 and £300; about 16,000 between £300 and £350; and 93,000 above £350. The result was that 413,000 persons would pay less now under a 3*d.* tax than under a former 2*d.* one, and 172,000 would pay more. In fact, a great majority of taxpayers under D and E would benefit by the change. Such figures as these ought not to be hurriedly passed over, and he hoped the Chancellor of the Exchequer would give his attention to them.

Resolution *agreed to.*

(3.) *Resolved*, That, towards raising the Supply granted to Her Majesty, the Duties of Customs now charged on Tea shall continue to be levied and charged on and after the first day of August, one thousand eight hundred and seventy-six, until the first day of August, one thousand eight hundred and seventy-seven, on importation into Great Britain or Ireland (that is to say): on

		s.	*d.*
Tea . . .	the lb.	0	6

(4.) *Resolved*, That it is expedient to amend the Law relating to the Inland Revenue and the Customs.

Resolutions to be reported *To-morrow;* Committee to sit again *To-morrow.*

MERCHANT SHIPPING BILL.—[BILL 49.]

(*Sir Charles Adderley, Mr. Edward Stanhope.*)

COMMITTEE. [*Progress 3rd April.*]

Clause 6 (Constitution of court of survey for appeals.)

Amendment proposed, in page 4, line 13, to leave out from the word "experience" to the word "judge," in line 20, in order to insert the words—

"And shall be appointed, one by the Board of Trade, either generally or in each case, out of a list of persons periodically nominated for the purpose by the local marine board of the port, or, if there is no such board, by a body of local shipowners or merchants approved for the purpose by a Secretary of State, or, if there is no such body, by the judge, and the other out of such list by the parties nominating same."—(*Mr. Eustace Smith.*)

Question proposed, "That the words 'one of them shall be appointed by the Board of Trade' stand part of the Clause."

SIR CHARLES ADDERLEY said, the clause constituted a Court of Appeal from the decision of the Board of Trade Surveyor. The Court, as proposed by the clause, would consist of a Judge and two assessors, one to be appointed by the Board of Trade and one by the Local Marine Board, which represented the shipowners. The Amendment proposed that practically both should be nominated by the Local Marine Board or its equivalent, which he did not consider fair. In a matter of arbitration both arbitrators should be chosen by one side.

MR. D. JENKINS thought it not necessary to appoint a Judge and two assessors to decide the seaworthiness of a ship. These Courts of Survey were unnecessary, and would be a burden upon the taxpayers of the country.

MR. RATHBONE pointed out that no one was compelled to resort to a Court of Appeal in these cases. If a shipowner was in the wrong—and no one was likely to be a better judge in the matter—he would submit to the action of the Board of Trade without further trouble. He deprecated the revival of a question which had already been settled by the Committee by a large majority. These Courts were demanded by every shipowning port in the Kingdom.

MR. GORST thought a tribunal constituted as proposed would be excellent, and that it would command the confidence of the country.

Amendment *negatived.*

Clause *agreed to.*

Clause 7 (Power and procedure of court of survey) *agreed to.*

Clause 8 (Rules for procedure of court of survey, &c.) *agreed to.*

Clause 9 (Liability of Board of Trade and shipowner for costs and damages.)

MR. RATHBONE (for Mr. HERSCHELL) moved, in page 5, line 17, to leave out from "there," to "under," in line 18, both inclusive, and insert—

"A ship provisionally detained was not, at the time of such detention, unsafe within the meaning of."

MR. EVELYN ASHLEY opposed the Amendment, on the ground that it would be a hardship on the Board of Trade, and would deter them from action to have to pay the costs in all cases where, however real the grounds of suspicion, the vessel was after survey not found to be in a condition so bad as to warrant detention.

SIR CHARLES ADDERLEY quite agreed that it would be a hardship on the Board of Trade; at the same time he thought it only right that, as in other cases, the defeated should pay the costs, and therefore he was prepared to accept the Amendment. In many cases the Board of Trade might act upon specious, but what turned out to be unreasonable complaint, and yet it might be reasonable and even imperative upon them that they should act upon it. It would be hard that the taxpayers should have to pay the cost, but it would be much harder for the shipowner who proved to be innocent to do it.

MR. EVELYN ASHLEY pointed out that in the ordinary Courts of Law the Judges had discretion as to costs, and the parties had ample time to ascertain their position before the cause came on for hearing, whereas the Board of Trade must act on the spur of the moment.

MR. WATKIN WILLIAMS regretted that the right hon. Gentleman had so readily assented to the Amendment, which he thought was altogether wrong in principle. "Reasonable and probable cause" in law meant good and substantial ground for detaining a ship.

THE ATTORNEY GENERAL said, there had been no hasty assent to the Amendment, for it had been carefully and deliberately considered. They had to regard what was fair to the shipowner, who had, for no just and sufficient reason, been deprived of his property. If a ship was in such an unseaworthy condition that she could not proceed to sea without endangering human life, the strong powers given to the Board of Trade by this Bill might be enforced to the detriment of the shipowner, and he could not complain; but if upon full inquiry it turned out that the supposition of the unseaworthiness of the ship was unfounded, it would be most unjust and oppressive to throw upon the shipowner the expense of the detention of his vessel and the loss he had sustained in consequence of that detention.

MR. NORWOOD approved of the Amendment. It was only fair that if injustice was inflicted on a shipowner he should be recompensed, if pecuniary compensation could recompense him, for the wrong that would be inflicted upon him from the detention of his vessel. He did not like the Bill; but he must say that there was a disposition on the part of the Government to meet the representations which were made to them with the greatest fairness.

MR. E. J. REED supported the Amendment on the ground that the Board of Trade might have been wrongly called upon to stop the ship, in which case the shipowner ought to be compensated.

MR. WATKIN WILLIAMS wished to be permitted to press his objection further. He should like to know what answer the Government would give if hereafter when a person was arrested for crime, and after several remands was proved innocent, they were asked to make compensation to such person, whose arrest, though erroneous, was perhaps justifiable?

MR. SAMUDA said, the Government had properly accepted the Amendment, and he hoped it would be acceded to by the Committee.

MR. GORST said, that if there was no justification for the detention of a ship it was but fair and just that the owner should be compensated.

MR. SHAW LEFEVRE said, that as it was for the Board of Trade to decide if there was reasonable and probable cause for the detention of the ship almost in every case the Board of Trade would hold there was, and the shipowner would get no compensation.

MR. COLLINS said, that under this Amendment the shipowner would only get the exact costs he had sustained.

MR. SERJEANT SIMON said, that the question of reasonable and probable cause would have to be raised before a jury, and not before the Board of Trade. He should support the Amendment.

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clause 10 (Power to require from complainant security for costs.)

MR. GRIEVE said, a fourth of a crew was too small a part to be empowered to make a complaint to the Board of Trade as to the condition of a ship, and he moved, in page 6, line 6, to leave out "one-fourth," and insert "one-half."

SIR CHARLES ADDERLEY said, one-half would be too large a proportion of the crew. He would consent to the addition of the words "being not less than three" after the words "one-fourth."

MR. GRIEVE said, he was willing to accept the addition suggested by the right hon. Gentleman.

Sir CHARLES ADDERLEY then moved the addition.

Mr. T. E. SMITH said, he thought it would be unjust to detain the ship on the complaint of so small a proportion of the crew; he held that the proportion ought not to be less than one-half.

Mr. SULLIVAN said, the Amendment proposed by the right hon. Gentleman would make no difference in the case of large ships; but in the case of a crew of eight, under the present law, one-fourth—that was to say, two seamen—could make a complaint to the Board of Trade; whereas if the Amendment of the right hon. Gentleman were adopted not less than three seamen could make a complaint.

Lord ESLINGTON said, he thought it was gross injustice to allow two seamen to stop a ship. He was in favour of enlarging the number required to make a complaint, because in the event of the complaint being groundless there would be a larger number of seamen to pay damages.

Amendment (*Sir Charles Adderley*) *agreed to.*

Mr. PLIMSOLL moved, in page 6, line 7, to leave out from "and," to "and," in line 9, both inclusive.

Sir CHARLES ADDERLEY opposed the Amendment. The discretion left in the hands of the Board of Trade would not be abused.

Amendment, by leave, *withdrawn.*

Clause, as amended, *agreed to.*

Clause 11 (Supplemental provisions as to detention of ship.)

Mr. GORST moved the omission of a sub-section, which he was apprehensive might tend to operate to favour the escape of unseaworthy ships. For instance, a ship might change her flag and set up a Spanish flag, and so contrive to evade the Act.

Sir CHARLES ADDERLEY said, care would be taken not to allow unseaworthy ships to escape.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Appeal on Survey of Passenger Steamer and Emigrant Ship.

Clause 12 (Appeal to court of survey on survey of passenger steamer or emigrant ship.)

Sir CHARLES ADDERLEY moved, in page 7, after line 23, to insert—

> "And whereas by section thirty of 'The Merchant Shipping Act Amendment Act, 1862,' provision is made for preventing a ship from proceeding to sea in certain cases without a certificate from a surveyor or person appointed by the Board of Trade to the effect that the ship is properly provided with lights, and with the means of making fog signals."

The right hon. Gentleman said, that in all cases, and not only in the cases specified in the Act of 1855, where the surveyor refused his certificate, the shipowner, if he felt himself injured, should have a right of appeal.

Mr. RATHBONE moved to add as a fresh paragraph at the end of the clause—

> "For the purpose of avoiding delay in cases of urgency the owner or master of a ship, in any case in which he might under any of the provisions of this section appeal to a court of survey, may, instead of so appealing, refer the matter to any two or more referees, being assessors or scientific referees, included in any list in force under this Act. One of the assessors or referees may be named by the person requiring the reference, and the other or others shall, at the request of such person, be selected in the prescribed manner from the lists in force as aforesaid by the registrar of the court of survey. Notice of such reference, and of the names of the proposed referees, shall be given to the prescribed person. The referees may forthwith proceed to determine the matter of the reference, and may make any order which could be made by a court of survey under this Act, or may, if they think fit, and shall, if so required by the Board of Trade, in any particular case remit the matter to the court of survey: Provided, That no order of the referees (except an order for remitting the matter to the court of survey) shall take effect until the expiration of twenty-four hours from the giving of notice as aforesaid, unless with the consent of the Board of Trade or of a detaining officer. The expenses of any such reference shall be ascertained, paid, and borne as if they were costs of a proceeding before a court of survey."

By this course he contended that the risk of unnecessary detention would be avoided, while at the same time the object in view would be attained at less expense.

Sir CHARLES ADDERLEY said, the next clause dealt with the question, and the only difference between himself and the hon. Member was as to the extension of the powers of the referees. He was disposed to agree with the hon. Member, and if he would withdraw the Amendment he should be prepared to agree to the insertion of words in Clause 13 which would effect the object the hon. Member had in view.

Mr. RATHBONE said, upon that understanding he would withdraw the Amendment.

Amendment, by leave, *withdrawn.*

Amendment (*Sir Charles Adderley*) *agreed to.*

Clause, as amended, *agreed to.*

Clause 13 (Reference in difficult cases to scientific persons.)

Lord ESLINGTON took exception to the one-sided spirit in which the clause was drawn, contending that the shipowner should have the choice of his own arbitrator. He could not understand why the Board of Trade should constitute itself the sole arbitrator.

Sir CHARLES ADDERLEY gave it as his opinion that the noble Lord entirely misunderstood the scope of the clause. As the clause was drawn either the Board of Trade or the shipowner could call for a referee in questions of scientific difficulty.

Lord ESLINGTON took a different view, and moved, in page 8, line 8, after "Board of Trade," to leave out "are of opinion," and insert "and the shipowner agree or in case they disagree and the court of survey shall be of opinion."

Amendment *negatived.*

Lord ESLINGTON then moved, in page 8, line 9, to leave out from "difficulty," to "aforesaid," in line 19, and insert—

"The matter shall be referred to a scientific referee or referees to be agreed upon by the Board of Trade and the appellant, and selected from a list to be nominated and approved as hereinafter provided, or, in case they cannot agree, to be nominated by a judge of the Supreme Court of Judicature, and thereupon the appeal shall be determined by the referee or referees so agreed upon or nominated instead of by the court of survey; and the Board of Trade and the shipowner may, if they think fit, refer any question to such referee or referees although such question does not arise out of cases enumerated in the last Clause.

"The list of scientific referees shall consist of twenty-four names, six of which shall be nominated by the president for the time being of the Institute of Civil Engineers, six shall be nominated by the president for the time being of the Institution of Engineers and Shipbuilders in Scotland, six shall be nominated by the chairman for the time being of Lloyds' Register of British and Foreign Shipping, and the remaining six shall be nominated by the chairman for the time being of the Liverpool Registry of Iron Vessels; but such list shall be subject to approval by a Secretary of State."

Sir CHARLES ADDERLEY opposed the clause, because it would really establish a restriction as to the choice of Referees, which would work injuriously. And, after all, resort must be had to a Secretary of State; and if he had to approve why should he be restricted by this nomination of the Institution of Engineers and Shipbuilders, or the Chairman of Lloyd's, or Liverpool Registry?

Amendment *negatived.*

Clause *agreed to.*

Grain Cargoes.

Clause 14 (Stowage of cargo of grain, &c.)

Mr. PLIMSOLL moved, in page 8, line 25, after "ship," to insert "or into or out of any port in the United Kingdom on board any ship."

Sir CHARLES ADDERLEY opposed the Amendment. It re-opened a question which he thought had been settled the other evening.

Sir HENRY JAMES thought the question had not been settled but postponed. He suggested the insertion of the words, "or on board any foreign ship laden in any port of the United Kingdom."

The CHANCELLOR of the EXCHEQUER said, that in the discussion which arose on Clause 5, it was moved or suggested that a foreign ship intending to proceed from a British port, and which was improperly laden, might be detained. That raised a question of International Law. The Government promised to deal with that question on the Report; but he could not say whether they would be able to do so or not. Assuming that they were able to do so the Amendment now before the Committee would be superfluous.

Sir HENRY JAMES thought that if the hon. Member for Derby (Mr. Plimsoll) would consent to the subject of the Amendment being dealt with on the Report, the Committee would make more progress.

Mr. CHILDERS said, it was not fair that in the carriage of grain, for instance, the British shipowner should be subject to restrictions from which the Foreign shipowner was free. The Canadian Legislature had already passed an Act imposing restrictions on foreign ships. He regarded the Amendment as a very important one; and he hoped that it would be dealt with by Her Majesty's Government.

SIR CHARLES ADDERLEY said, that if they adopted restrictions with respect to foreign ships, they must expect that other nations might impose more severe restrictions on our much more numerous ships in the way of retaliation. This was one of the difficulties the House had to deal with the other night, but not with respect to grain cargo, but to general detention for overloading. It was said that the Canadian Government had laid restrictions on foreign ships. This might be possible for Canada. If we did so, it would excite jealousy on the part of foreign Powers.

MR. PLIMSOLL said, the arrangements made by Canada were more stringent than those proposed by our Government or by his Amendment, yet Canada had set a noble example, which he would like to see followed, but he did not ask for so much. He thought it would be desirable if, after deciding on the Amendment, they should report Progress.

MR. RITCHIE characterized the remarks of the President of the Board of Trade as hesitating compared with those made the other night by the Chancellor of the Exchequer. He (Mr. Ritchie) thought the bugbear of a retaliation by foreign nations ought not to prevent the Committee from doing what was right; and the hands of the Government would be strengthened if the Amendment were agreed to.

MR. SHAW LEFEVRE said, if the authorities in this country subjected foreign ships to the same restrictions that it was proposed to impose upon British ships, he was apprehensive the foreign Powers might impose similar restrictions upon British ships in their ports, to the great inconvenience of British shipowners. With respect to Canada, he thought they might impose such restrictions as those proposed; but he thought it undesirable to enforce them on the ships of other nations.

LORD ESLINGTON said, he endorsed every word that had just been expressed by the hon. Member for Derby (Mr. Plimsoll). On this occasion they should hold Her Majesty's Government responsible, and he was perfectly willing to leave the matter in their hands.

MR. SULLIVAN said, he was surprised at the speech made by the hon. Member for Reading (Mr. Shaw Lefevre). Why, this was a matter relating to the saving of human life, and with respect to Canada it should be borne in mind that she was alongside one of the sharpest nations in the world — a nation that thought to dismay her from imposing restrictions upon its shipping; but Canada persisted in her course, and this House need not be afraid to follow the example of the Canadian Legislature.

MR. MAC IVER said, he had heard with regret the speech delivered by the hon. Member for Reading (Mr. Shaw Lefevre). He (Mr. Mac Iver) thought that the evils which seemed to afflict the mind of the President of the Board of Trade were merely imaginary. He hoped the Government would accept the Amendment.

MR. T. E. SMITH must also say that the speech of the hon. Member for Reading surprised him. As he understood the hon. Member he assented to the restrictions imposed upon shipping by Canada; but he would not have them imposed on foreign shipping, and all he (Mr. Smith) desired was, that the right hon. Gentleman the President of the Board of Trade would say that he would bring in a clause to impose similar restrictions in the loading, &c., of vessels as those imposed on them by the Canadian Legislature.

SIR JOSEPH M'KENNA moved that the Chairman report Progress, and ask leave to sit again.

THE CHANCELLOR OF THE EXCHEQUER said, he hoped the Committee would agree to dispose of this clause. He appeared to have been misunderstood by the hon. Member for the Tower Hamlets. He did not undertake that the question of the loading of foreign ships in our own ports should have the consideration of the Government, with a view to placing them upon the same footing as English ships. The difficulty of doing so had, however, prevented any conclusion being come to at present. He still, however, hoped that they might see their way to meet the object in view, and he trusted that at present the hon.

and learned Member for Taunton would not press his Amendment.

MR. E. J. REED hoped that unless they had a distinct assurance from the Government that they would introduce into the Bill a provision that would prevent the gross absurdity of foreign ships lying in the same docks with British ships being loaded in such a way as to endanger life and property, while our vessels were under stringent restrictions, the hon. and learned Member would take a division upon his Amendment.

MR. PLIMSOLL said, he would withdraw his Amendment in favour of that of the hon. and learned Member for Taunton, as it seemed better adapted for the object he had in view.

Amendment, by leave, *withdrawn.*

SIR JOSEPH M'KENNA understood that the Amendment of the hon. and learned Gentleman would be pressed to a division, and he would therefore withdraw his Motion to report Progress.

Motion, by leave, *withdrawn.*

SIR HENRY JAMES said, that in the absence of any assurance from the Government that they would place foreign vessels in the same position with respect to loading as British vessels, he must take a division.

THE CHANCELLOR OF THE EXCHEQUER said, he did not dispute the fact that some arrangement such as was suggested should be come to; but this clause did not seem to be the proper place, and he hoped no decision would be taken until the question had been further considered.

Amendment (*Sir Henry James*), by leave, *withdrawn.*

Committee report Progress; to sit again upon *Monday* next.

ADMIRALTY JURISDICTION (IRELAND) BILL.

On Motion of Mr. SOLICITOR GENERAL for IRELAND, Bill to amend "The Court of Admiralty (Ireland) Act, 1867," and confer a more extended Admiralty Jurisdiction on the Recorders of Cork and Belfast, *ordered* to be brought in by Mr. SOLICITOR GENERAL for IRELAND and Sir MICHAEL HICKS-BEACH.

Bill *presented,* and read the first time. [Bill 121.]

LOCAL GOVERNMENT PROVISIONAL ORDERS (NO. 2) BILL.

On Motion of Mr. SALT, Bill to confirm certain Provisional Orders made by the Local Government Board under "The Poor Law Amendment Act, 1867," with reference to the townships of Cumberworth and Cumberworth Half, in the west riding of the county of York, and the borough of King's Lynn, in the county of Norfolk, *ordered* to be brought in by Mr. SALT and Mr. SCLATER-BOOTH.

House adjourned at a quarter after One o'clock.

HOUSE OF LORDS,

Friday, 7th April, 1876.

MINUTES.]—PUBLIC BILLS—*First Reading*—Local Government Provisional Orders* (54); Gas and Water Orders Confirmation* (55).

Second Reading—Agricultural Holdings (Scotland) (44).

Third Reading—Royal Titles (41); Drainage and Improvement of Lands (Ireland) Provisional Orders (No. 2)* (39), and *passed.*

Royal Assent—Council of India (Professional Appointments) [39 *Vict.* c. 7]; Sea Insurances (Stamping of Policies) [39 *Vict.* c. 8]; Mutiny [39 *Vict.* c. 6]; Marine Mutiny [39 *Vict.* c. 9]; County Palatine of Lancaster (Clerk of the Peace) [39 *Vict.* c. iii.]; Manchester Post Office [39 *Vict.* c. iv.].

PRIVATE BILLS.

Ordered, That no Private Bill brought from the House of Commons shall be read a second time after *Monday* the 19*th day of June* next:

That no Bill authorising any inclosure of lands under special report of the Inclosure Commissioners for England and Wales, or confirming any scheme of the Charity Commissioners for England and Wales, shall be read a second time after *Monday* the 26*th day of June* next.

That no Bill confirming any provisional order or provisional certificate shall be read a second time after *Monday* the 26*th day of June* next.

That when a Bill shall have passed this House with amendments these orders shall not apply to any new Bill sent up from the House of Commons which the Chairman of Committees shall report to the House is substantially the same as the Bill so amended.

THE INDIAN TARIFF—THE COUNCIL OF INDIA.—OBSERVATIONS.

THE MARQUESS OF SALISBURY said, that, seeing the noble Duke (the Duke of Argyll) in his place, he wished to refer to a matter respecting the production of a telegram of the 30th of September last, to which Sir Erskine Perry and Sir Henry Montgomery had dissented. On a former occasion the noble Duke had asked that the telegram should be laid on their Lordships' Table. His (the Marquess of Salisbury's) reply was that he could not consent to its production, because it was a document of a confidential nature. The noble Duke thereupon suggested that its substance should be given, and pressed for its production. He could not on the moment reply to that suggestion, but having looked into the matter, he thought he might produce the substance of the telegram. At the same time, he must express his regret that persons of such influence as the ex-Secretaries of State for India (Viscount Halifax and the Duke of Argyll) had taken a course which left him no alternative but to produce the substance of a confidential telegram. If he refused to produce it after the discussion of the other night it would be said that there was something which he wished to keep back. On the other hand, in producing it he was reluctantly establishing a precedent in favour of the production of confidential documents.

THE DUKE OF ARGYLL said, he could assure the noble Marquess that neither he himself nor his noble Friend (Viscount Halifax) had any wish to embarrass him. They were under the impression that the despatch in question was only directed against the policy of Lord Northbrook. From what he had heard since, he believed that in the Papers produced by the noble Marquess, Parliament had the substance of the despatch. However, if his noble Friend thought well to produce more of it in a fresh Paper, of course he had nothing to say against his doing so.

AGRICULTURAL HOLDINGS (SCOTLAND) BILL—(No. 44.)

(*The Lord President.*)

SECOND READING.

Order of the Day for the Second Reading, read.

Moved, "That the Bill be now read 2ª."—(*The Lord President.*)

THE DUKE OF ARGYLL said, that before the Bill was read the second time he wished to make a few observations. When the noble Duke opposite (the Duke of Richmond) introduced the Agricultural Holdings Bill for England last Session, and stated that it would be followed by one for Scotland, he (the Duke of Argyll) expressed his opinion that owing to the almost universal prevalence of leases in Scotland such a measure would have very little effect in that country; and when the present Bill was introduced he repeated his opinion that it would have no effect whatever, one way or another. He (the Duke of Argyll) had since examined the measure and thought very carefully over the matter, and the result was that he was confirmed in his belief that this Bill would have no effect whatever on Scotland, either for good or bad. In addressing their Lordships last year he pointed out that although the Bill might do some good in regard to those holdings which were not held on a lease, it was not applicable to any case in which leases were granted. From the peculiar conditions of agriculture in Scotland the owners of land would object to come under the Bill, not because they were averse to its principles, but because they asserted—and asserted truly—that the object of the measure was already accomplished by the system of leases. In Scotland the system was to let land for leases of 19 years, and therefore he could not understand how an Act of this kind could possibly apply there. The object of the Bill was to secure to the tenant a return of the capital which he might have spent in improvements which were unexhausted at the end of the tenancy. Now, there were three ways in which capital invested in farming could be lost. In the first place, it could be lost by bad farming; and he supposed that the most strenuous supporter of this Bill would not advance the doctrine that they could by any Act of Parliament prevent a man from losing his money by bad farming. The next way in which a tenant was liable to lose his money was by his rent being raised at uncertain times. This a lease effectually prevented. A third way in which a tenant might lose his capital was by his tenancy being determined altogether by eviction. Now, what he (the Duke of Argyll) desired to point out was this—that a lease was the great security to the tenant against both these latter causes of loss, because every holder was secured against being evicted or suddenly having his rent increased. Therefore the operation of the lease was infinitely better than the operation of this Bill. But while, in his opinion, in ordinary cases in Scotland the Bill would have no effect whatever, it did not at all follow that it would not have a good effect in England, where there were a great number of farmers holding land without leases. In general the provisions of the Act did not apply, because the landlords would not allow it to be brought into operation. He was informed that on a great many estates in England there was no written agreement; and he had been told in that House, by the owner of an estate celebrated in the history of agriculture in England, that as far as he knew, he had not a single scrap of agreement with his tenants, but that all his land had been held time out of mind under ancient customs. There was another point on which he regarded leases as being very important—namely, in regard to the operation of the principles involved in the 17th clause of the Bill. It was one of the principles of the Bill that the improvements effected by a tenant should not be compensated for if the landlord had given to the tenant value in consideration of improvements effected by him. Their Lordships would recollect that when the Bill of last year was before the House, he moved an Amendment which would have had the effect of withdrawing from the Bill all those cases in which valuable consideration had been given for the improvements by the landlord; and the noble and learned Lord on the Woolsack, with his usual acuteness, had pointed out that in every case of lease there was a valuable consideration. On every ground, therefore, the Act would not be operative in Scotland. He ought, however, to limit himself a little in making that observation, because there were a certain number of small tenants in the Western Highlands called "crofters," who did not hold under any lease; but that class of tenants were so poor that they would never make any agricultural improvements, and it was with the greatest difficulty that they could be got to pay even the most moderate interest for improvements effected by the landlord. There was one provision in the Bill which he hoped the noble Duke would consent to alter, because it effected a change in the law of Scotland which no tenant that he had ever heard of asked for—namely, that clause which proposed the substitution of one year's notice of the termination of the tenancy, instead of 40 days. There might be very much to be said for it in regard to England, where tenancies at will so extensively prevailed, but in regard to Scotland, under the system of leases it would be injurious, because it would practically give 18 months to the tenant before he could be called upon to leave the farm. There was indeed one provision of the Bill of which he cordially approved, and that was the power given to the limited owner to charge on the inheritance improvements made by him — if the Bill had any extensive effect in that direction, it would be very valuable indeed: but the power, in fact, went very little further than was given by the Entails Bill of last year. It was, however, a step in the right direction. No doubt the measure would extend the list of improvements; but certainly the more important effect of the Bill would be the powers which it gave to entailed owners to borrow money, and charge the land for the purposes of improvements made by themselves. So far as it went the measure would be beneficial in this direction. He believed the English Bill had indirectly brought about agreements between the landlords and tenants, and in this respect had done good, but as far as concerned any general operation it would have on Scotland, his own opinion was that practically the Bill would be a dead letter.

Earl GRANVILLE said, that when his noble Friend (the Duke of Argyll) said that the Bill would do less good in Scotland than in England, he was at a loss to understand how that could possibly be. He was one of the smallest landowners in their Lordships' House, though he had land in four counties; but his experience was that everybody had been contracting himself out of the English Act. Many public bodies had done so, and even the Chancellor of the Duchy of Lancaster, in his official capacity, had adopted that course. He did not know whether it had been brought into operation on the estates of his noble Friend the Lord President.

The Earl of MALMESBURY said, that although there might be cases where the parties had contracted themselves out of the Act, they did not always contract themselves out of the whole Act:

and even in cases where the parties had formally contracted themselves out of the Act it had had a very beneficial effect in bringing about agreements in conformity with some of its best clauses; and it would at any rate do good by giving the tenants the sense of security that was afforded by the compensation clauses.

LORD ORANMORE AND BROWNE said, that the Bill was less important in Scotland than England because the larger part of the land in Scotland was leased, and this Bill did not affect leases; but in Scotland especially he deemed all legislation with regard to land unnecessary, and, therefore, injurious, for during the last 50 years the value of land in Scotland had trebled, the produce was much larger, the rents were much higher, and the tenants were more intelligent and more prosperous, so every one interested in land benefited. This Bill was permissive; but by it the Legislature declared that a certain system of dealing in land was that which was just and fair, and he could not see, should the system so laid down not be carried out, how Parliament could consistently refuse to make it compulsory, and that, as tending to interfere with freedom of contract in land, he thought the Bill most objectionable and contrary to the best Conservative principles.

THE MARQUESS OF SALISBURY remarked that probably where there were good existing agreements, the tenants would not make such a demand. He was in the unfortunate position of wishing to bring his property within the English Act, but his tenants refused. He ought, perhaps, to apply to Parliament to compel his tenants to take advantage of the Act.

THE DUKE OF RICHMOND AND GORDON said, that he had never pretended that the Bill would have as great an effect in Scotland as the English Act in England. He quite approved of the principle of letting upon lease. In reply to the suggestion of the noble Earl (Earl Granville) he was himself strongly in favour of leases, and all his Sussex tenants had leases. He had given his tenants an offer to cancel their leases in order that they might bring themselves under the Act—but they had declined the offer. In cases where there were no leases, no notices had been given on either side—so that as to these holdings the Act applied. He quite admitted that in Scotland the system of a 19 years' lease subsisted, but the Bill certainly contained a novelty with respect to Scotland, and that was the introduction for the first time into that country of the powers conferred on England under the 14th and 15th of Victoria, authorising the erection of cottages to be charged for as improvements. With respect to the limited owner, it gave him a power to borrow money to be invested in permanent improvements, and it also gave to the tenants a simpler and more efficacious machinery for determining any disputes by empowering them to resort to the Sheriff Depute rather than the Court of Session. He thought that provision would be of great utility both to the landlord and tenant. Of course he did not expect that the Bill would satisfy everybody, because there were some persons whom nothing would satisfy: but this Bill did introduce a great change and a great benefit into Scotland, because it introduced for the first time the presumption of law in favour of the tenant. The noble Duke opposite (the Duke of Argyll) had referred to the necessity of altering the law of hypothec. That law was of great benefit to the smaller tenants, whilst those occupying large farms would be glad to see it abolished; but that was not a proper time for discussing a change in that law. There was only one point more, and that was with reference to the 40 days' notice. No doubt there were some objections to be raised to that, but it was thought on the whole to be a good plan to substitute 12 months for 40 days; but if there were any serious objections to it, it might be discussed in Committee.

Motion *agreed to;* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Monday* the 8*th May* next.

CHURCH OF SCOTLAND (ELECTION OF MINISTERS.)

MOTION FOR RETURNS.

THE EARL OF MINTO moved that there be laid before the House Copy of—

"Regulations, framed and enacted by the General Assembly of the Church of Scotland, to be observed in the election and appointment of Ministers" under the powers conferred upon them by the Patronage Abolition Act; also for returns for each parish in Scotland, in which a vacancy has been filled up or is in the course of being filled up, under any such regulations or interim regulations of the General Assembly stating certain particulars [according to a tabular form set forth in the Motion.]

The noble Earl said, that he was induced to move for these Returns because, as he understood, a great abuse had arisen under the Patronage Abolition Act, by reason that a large number of mere boys and girls, from the fact of their being communicants, had obtained votes in the election of ministers. He thought that such a system was very apt to create a scandal in the Church, and that the power had, in fact, been exercised in a very unprecedented and extraordinary manner. It appeared to him that the effect of the abolition of Church patronage in Scotland had reduced the Church of Scotland to the condition of a Dissenting body.

THE DUKE OF RICHMOND AND GORDON explained that it was impossible to give the Returns in the exact form in which they were moved, because, by the lapse of time, any Return given this year would be perfectly fallacious two or three years hence. Of course it would be quite practicable to give the Regulations of the General Assembly for the election and appointment of Ministers, and some of the other information required, which he had no objection to produce.

THE DUKE OF ARGYLL said, that he entirely disagreed with his noble Friend behind him (the Earl of Minto) that the power which had been given by Parliament to the General Assembly to create new constituencies had been exercised in an extraordinary and unprecedented manner. It was by his Amendment in the Patronage Abolition Act that an alteration was made in the clause relating to the constituency. The Act of Parliament defined the constituency. The Bill, as originally drawn, gave the election of the minister to the communicants. In the Amendment he had moved, the words "communicants and adherents" were inserted in the clause. Therefore Parliament having supplemented the communicants by the addition of those persons who were to be constituted adherents, it would have been illegal for the General Assembly to have left out that addition. He believed that the General Assembly in the regulations they had issued had acted strictly in the spirit of the Act. The noble Earl complained of scandals. He did not consider that the scandal was so bad as it was under the former system, when a patron could appoint any minister by his own vote, and he was glad to take this opportunity of saying that he had had some opportunity of personally ascertaining the effect of the alteration in the mode of election to one of the livings of which he was formerly the sole patron. Nothing could be more orderly and calmer than the election which had been conducted by the congregation; and though he could not deny that congregational election might give rise to some difficulties, there would be fewer scandals than under the former system. He contended that the Church of Scotland was now far more national than she was, and that the General Assembly was now more national than any other ecclesiastical assembly.

Motion amended and *agreed to.*

ROYAL TITLES BILL—(No. 41.)

(*The Lord President.*)

THIRD READING.

Order of the Day for the Third Reading, read.

Moved, "That the Bill be now read 3ª."—(*The Lord President.*)

EARL GRANVILLE hoped that the noble and learned Lord on the Woolsack would state the reasons which had led him to answer on Thursday evening that, in his opinion, no amendment was necessary in this Bill to exclude from its operation commissions, writs, and similar documents, operating in this country only. Their Lordships would remember that after he himself had raised a question on this point, his noble and learned Friend (Lord Selborne) expressed an opinion that without an alteration in the Bill it would be scarcely possible to effect by Proclamation such a limitation in the use of the new title as the Government intended. The opinion so given by the noble and learned Lord was shared in by other noble Lords. As, then, sufficient doubt had been expressed by great legal authorities as to what was the true construction of the Bill and the introduction of a few simple words would remove it, perhaps the noble and learned Lord would state the reasons which induced him to think that such alteration was unnecessary. Without some such statement he thought their Lordships ought not to consent to the third reading.

THE LORD CHANCELLOR said, that if any argument to show that there was doubt could be put forward by the noble Earl or by his noble and learned Friend, he would be happy to give it his best attention and make such answer to it as he might think it ought to receive; but he thought he ought to know what he was called upon to answer before he attempted to reply.

EARL GRANVILLE observed that surely the noble and learned Lord must have regarded the point raised as an important one, as he had taken time to consider it.

LORD SELBORNE said, he was most reluctant to question any legal opinion given by his noble and learned Friend on the Woolsack; he must, however, remind their Lordships that in the opinion he himself ventured to express on a former evening, on the point he was now about to bring under their notice, he did not stand alone. Moreover, one would have felt more confidence in the opinion given by his noble and learned Friend on Thursday evening if it had appeared that it had always been held by his noble and learned Friend. Their Lordships were aware that when the Bill was in "another place," it was stated that there were occasions on which the new title would require to be used in this country, however desirable it might be to minimize its use here. That announcement was made a considerable time before the Bill reached their Lordships' House. Accordingly when the Bill came to be debated in their Lordships' House, his noble and learned Friend on the Woolsack was asked whether it would not be necessary that the altered style should be used in certain legal documents in this country; and on that occasion — and the question could scarcely have come upon him by surprise—he answered in the very words which had been used in "another place."

THE LORD CHANCELLOR: No.

LORD SELBORNE: His noble and learned Friend might not have read those words, but he certainly referred to the statement, and said that in those classes of documents the altered style must be used. He hoped that in this case second thoughts might be best; but as his noble and learned Friend had just said that before he expressed his reasons he should be happy to pay attention to anything that could be said in explanation of the point raised on a former occasion, he would put the case as it presented itself to his own mind, and as it had presented itself to the minds of others. He believed that up to the time of the Union with Scotland Parliament had not laid down any law as to the style of the Crown—it was in the power of the reigning Sovereign, without the authority of Parliament, to alter that style; and, in point of fact, in many successive reigns from the Conquest to the Union with Scotland that style was altered by different Sovereigns. The Union with Scotland made no difference in that respect, because there was not in that Act any express legislation with regard to the Royal style and title. But even in that state of things it was held by the Court of King's Bench, in the reign of Charles II., that in legal documents, such as writs—and what was applicable to them was applicable to other documents emanating from the Crown Office—the full style and title of the King for the time being should be used: and in 1676 a writ was held to be bad because the words "King of Scotland," which was then a part of the style of Charles II., were not in the writ. He did not say that if that question came before the Courts of Law there might not be room for canvassing it and challenging the doctrine thus laid down; but it was recognized, and cited as law, in a book of no inconsiderable authority—*The Digest* of Chief Baron Comyn. That was the law as laid down in the reign of Charles II.; and it would, he thought, be very imprudent, even if the point were regarded as doubtful, to act upon the supposition that it was not the law. With regard to the Royal style and title thus laid down as necessary to be inserted in certain legal instruments, legislation took place at the time of the Union with Ireland: and since that time the style of the Crown had been fixed by Act of Parliament. It was provided that, after the Union, the Royal style and title "appertaining to the Imperial Crown of the United Kingdom and its Dependencies," to that one Imperial Crown, which was regarded by the statute as the Crown of the United Kingdom and all its Dependencies—should be settled by a Proclamation under the Great Seal; and King George III., on the 1st of January, 1801, issued a Proclamation by which he declared, in execution of that power, that the Royal style and title of the Imperial Kingdom and its Dependencies should run thus—substituting the name of her present Majesty—"Victoria by the grace of God of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith." That was the Royal style and title by Act of Parliament at the present moment—the Royal style of the Imperial Crown of the United Kingdom and its Dependencies, India included. The Bill before the House, reciting that state of the law, proposed to give power to Her Majesty by her Royal Proclamation to make "such addition to the style and title at present appertaining to the Imperial Crown of the United Kingdom and its Dependencies, as to Her Majesty may seem meet." Now the question he desired to put was, would that power be duly and properly executed by making an addition which would be limited by Proclamation, so that it would be used, not throughout the United Kingdom and its Dependencies, but in one particular Dependency of the United Kingdom? He did not think that any such thing could be held to be contemplated by the words he had mentioned. The addition was one which when once made would be, under the Act of Parliament, inseparably part and parcel of the style and title appertaining to the Imperial Crown of the United Kingdom and of all its Dependencies, as much in the United Kingdom itself, and in every one of the Dependencies of the Crown, as in India. Now, if Her Majesty should be advised to issue a Proclamation in which it should be set forth that this style was not to be used on particular occasions, he apprehended that that might hold perfectly good as to all matters in which it was not necessary to use the full legal style and title of the Imperial Crown; but that it would be bad as to any matter concerning which it was necessary by law that the full style and title of the Imperial Crown should be used. His noble and learned Friend, for example, on a former occasion had referred to the fact that in the Proclamation of George III. there were some clauses as to the coinage of the Realm and stamps, the effect of which was that, until further directions should be given, the then existing coin should continue current under the old style of the Kingdom of Great Britain, and that any further coin to which the same die might be affixed should be perfectly good for the purposes of the circulation of the coinage; and in like manner as to stamps. Now, that, he had no doubt, was perfectly consistent with the Act of Union, and anything of the same nature would, of course, be perfectly within Her Majesty's power now; because he was not aware of any principle of law which required that the full style and title of the Crown should be expressed on the coinage or on any of those stamps. But, according to the authority which he had cited, it was laid down that in writs it was by law necessary that the full legal style and title of the Imperial Crown and its Dependencies should be used; and he apprehended, therefore, that, so far as instruments of that kind were concerned, the use of that title would be required. That was the nature of the difficulty which he felt in connection with the Bill, and he hoped their Lordships would excuse him if he had ventured to dwell upon it at such length.

The LORD CHANCELLOR said, he could assure his noble and learned Friend that he was very much obliged to him for having stated so distinctly the difficulty which he felt; and it was with the view of obtaining such an explanation that he had asked the noble Earl who first spoke (Earl Granville) what was the precise nature of the point which he wished to raise. The attention of the Government had already been called by the noble Earl and others to this fact, that there were a great many formal official documents operating in this country—such as writs, commissions to magistrates and officers in the Army, charters and documents of that kind—in which the title of the Crown was recited; and the Government were asked whether it was their intention, after what had been stated in the other House of Parliament, that the style of the Crown in those documents should in future include the title to be assumed for India. The Government gave an undertaking on that point to which they were pledged, and which they were bound to fulfil—and that was that there should be no change in the Royal style and title in such documents operating only in this country. If they should be unable to carry out that undertaking, he apprehended that the first consequence which would arise would be injury to the Government themselves. But what was the difficulty which occurred to the mind of his noble and learned Friend? The noble and learned Lord had adopted a hypothesis for himself as to the form in which the Proclamation under the Bill was to be issued, and upon that hypothesis he had founded the difficulty which he had just stated. He supposed the Proclamation would begin by enlarging the Royal style and title by the addition of certain words and by declaring that should be to all intents and purposes the Royal style and title as a whole. The noble and learned Lord then assumed that this having been once done by the Proclamation, nothing further could be done by the same means confining that peculiar style to particular documents and occasions. In support of that proposition he disinterred a case of very questionable authority, said to have been decided 200 years ago in the Court of Queen's Bench—of which he would say nothing more than that he thought his noble and learned Friend would have been the very last person to produce that fossil of law and hold it up to admiration at the present day. For his own part, he should be extremely sorry that the Government should issue a Proclamation depending upon the questions which were said to be raised in that case; although he did not agree with his noble and learned Friend that even if the Proclamation were to begin in the way which he supposed, and were then to define the occasions on which the Royal style and title were to be used, the results which he apprehended would follow. But it was quite possible—and that was sufficient for his purpose—to say that in the Proclamation issued under the present Bill which authorized Her Majesty to make—

> "Such addition to the style and titles at present appertaining to the Imperial Crown of the United Kingdom and its dependencies as to Her Majesty may seem meet,"

such addition should be confined to all documents other than those to which he had referred as operating in the United Kingdom. If that were done, the Proclamation could not operate beyond the words of it, and the difficulty suggested by his noble and learned Friend would not arise.

Lord HATHERLEY said, he believed that their Lordships were all desirous that this Bill should be passed in a form which could not hereafter be questioned, and at the present moment there could be no difficulty in making the intention of the Legislature so clear and plain that no question could arise in the future. Now, after listening to his noble and learned Friend—to whom he was in the habit of deferring—he was not satisfied with his explanation, or that the doubt that had existed had been cleared away. His noble and learned Friend treated very lightly the authority which had been referred to, but which, until overruled by their Lordships' House was law, as Lord Chief Baron Comyn considered it, and which had never been doubted by any subsequent authority or text writer.

The LORD CHANCELLOR explained that it was no doubt a valid decision, and he did not wish to controvert it.

Lord HATHERLEY understood that his noble and learned Friend had criticized the reference to "a case which was decided more than two centuries ago." He (Lord Hatherley) had formed an opinion that there was sufficient doubt in the case to justify those who wished to see this Bill perfectly safe from discussion hereafter in suggesting an Amendment on this occasion. The noble and learned Lord on the Woolsack said the title would be localized except in those cases where it was necessary the full title should be used. That was not very satisfactory. He (Lord Hatherley) submitted that the Proclamation would make the addition part and parcel of the style and title of the Crown of Great Britain and her dependencies, and that the new style and title could not be localized in any way whatever. Half-a-dozen words inserted in the Bill would set the doubt beyond all question.

Lord DENMAN said, he hoped their Lordships would not anticipate what Her Majesty's title in the Proclamation would be. He felt that he might use an illustration from the hunting field, for they were all too forward. He had been reminded of a scene in Leicestershire where everyone had been hurrying on, and Sir Lawrence Palk exclaimed, "Let the fox come!" Even as early as March, 1800, the Irish Parliament had issued the Resolution as to a Proclamation respecting the Imperial Crown of the United Kingdom of Great Britain and Ireland, and had fixed the date of the following January for the issuing of the Proclamation. He had come up from Scotland at some inconvenience to consider the Earl of Shaftesbury's Motion, but found he could not vote on either side. He earnestly trusted that Her Majesty would take into consideration what had passed on this question in that and the other House of Parliament. The Act for transferring the dominions in the East Indies from the East India Company in 1856—merely contemplated a transfer to the Queen. And as the Act for the Union of Great Britain and Ireland only passed in November, he hoped that as much delay as to the Proclamation, might take place, as between November, 1800 and January, 1801.

Motion *agreed to;* Bill read 3ª accordingly, and *passed.*

METROPOLIS—HYDE PARK—THE SERPENTINE.

QUESTION.

The Marquess of LANSDOWNE asked the Lord President a Question with regard to the Mounds between Rotten Row and the Serpentine, and in doing so said they were a great disfigurement to a very beautiful part of Hyde Park and interrupted one of the most charming views in it.

The Duke of RICHMOND and GORDON observed that as the matter was under discussion in "another place," and the debate there had been adjourned, it would have been better had the noble Marquess avoided any reference to the subject. In answer to his Question, however, he might inform him that there were eight mounds in the portion of the Park which he referred to, four of which were planted with shrubs, and four had no shrubs. The mounds on which there were no shrubs were in course of being demolished, and with regard to the others, it was being considered whether they should be removed or not. No decision had been arrived at at present.

METROPOLIS—NORTHUMBERLAND AVENUE.—QUESTION.

Viscount TEMPLETOWN asked the President of the Council, with respect to the Northumberland Avenue, Whether, in the view of not disappointing the public, the upper end of that Avenue could not be spread out wider than is now the intention to make it, judging from the fencing on both sides, so as to afford a better view of Charing Cross and the southern side of Trafalgar Square?

The Duke of RICHMOND and GORDON replied that it was at first intended that the centre of the Avenue should have been in a straight line from the Nelson Column; but after the inquiry by the Select Committee of 1873, and in deference to the views of Mr. Barry and the President of the Society of Architects, it was decided to make it in a straight line from Cockspur Street. The land on each side within the fences had been laid out for building on, and to widen the upper end would involve a great sacrifice to the ratepayers, who would, to a certain extent be benefited by the erection of buildings on that land, if it were not used for that purpose.

House adjourned at Seven o'clock, to
Thursday, the 27th instant, a
quarter before Four o'clock.

HOUSE OF COMMONS,

Friday, 7th April, 1876.

MINUTES.]—New Writ Issued—*For* Norfolk (Northern Division), *v.* the Hon. Frederick Walpole, deceased.

Supply—*considered in Committee*—Civil Service Estimates—Classes I. to VII.

Ways and Means—*considered in Committee*—*Resolutions* [April 6] *reported.*

Public Bills—*Resolution* [April 6] *reported*—*Ordered*—*First Reading*—Customs and Inland Revenue* [124].

Ordered—*First Reading*—Game Laws Amendment (Scotland)* [123]; Local Government Provisional Orders (No. 3)* [125]; Juries Procedure (Ireland)* [126]; Jurors Qualification (Ireland)* [127].

First Reading—Local Government Provisional Orders (No. 2)* [122].

Select Committee—Poolbeg Lighthouse* [105], *nominated.*

Committee—Poor Law Amendment [78]—R.P.; Cattle Disease (Ireland) [94]—R.P.

PARLIAMENT—PRIVILEGE—PUBLIC PETITIONS—MONASTIC AND CONVENTUAL INSTITUTIONS BILL.

OBSERVATIONS.

Notice taken of the language of Petitions in favour of the Monastic and Conventual Institutions Bill from Kensington [presented 28th March]; from Broadstairs [presented 28th March]; and from Avebury [presented 31st March]; and doubts having been expressed whether the name of the Honourable Member which appeared upon those Petitions had been affixed by his authority:—

MR. CALLAN said, it would be in the recollection of the House that about the same hour on the previous day the hon. Member for North Warwickshire (Mr. Newdegate) moved that the Order for the reception of a Petition in favour of the Monastic and Conventual Institutions Bill, presented to the House from certain Protestant Dissenters at Chatham on the 28th March, and purporting to bear the hon. Member's signature, should be discharged, on the gronnd that he had not seen the Petition, that the signature was not placed there by himself or by anyone having his authority, and that he believed he had never presented it. He (Mr. Callan) now wished to move that the Order for the reception of three other Petitions of a similar nature, from Kensington, Broadstairs, and Avebury, in Wiltshire, should be discharged. To these Petitions there was attached what purported to be the name of the same hon. Member, the handwriting being found on comparison to be identical with that of the signature to other Petitions which had been presented on various subjects during the present Session by the hon. Member for North Warwickshire, who must be unfortunate, indeed, if his name had been forged to all those Petitions, presented at various dates extending from the 24th February to the present month. He (Mr. Callan) was surprised to have been informed that day, that at the very time when the hon. Member for North Warwickshire was moving in the House that the Order for the reception of the Petition from Chatham should be discharged, he was aware that other Petitions to which his name was in a similar manner affixed, and which contained similar offensive and disgraceful charges, were on the records of the House. He (Mr. Callan) did not move for the discharge of the Order relating to these Petitions because the hon. Member's name was not attached to them by himself, or by his authorization; but in the cause of the honour and prestige of the House, which ought not to be regarded as a receptacle for documents which were fitter for the atmosphere of Holywell Street. In these Petitions charges were brought against the sisters and daughters of Members of that House, as honourable as the hon. Member for North Warwickshire, the Petitioners praying that the Bill might pass because convents were used to inveigle and corrupt Protestant pupils; that many of the nuns had "a hell here and a hell hereafter;" that monasteries and convents "combine in themselves the worst evils of the workhouse, the asylum, the prison, and places of bad repute." These were some of the allegations contained in Petitions bearing the name of the hon. Gentleman the Member for North Warwickshire. Whether the hon. Member would repudiate the other Petitions as well as that to which he had called the attention of the House on the previous day it was for him to decide. On a former occasion when the hon. Member's statement was challenged by Sir Charles Clifford, he sheltered himself under the plea of Privilege. Would he now shelter himself under a similar plea? The Petitions went on to make the most extravagant assertions, saying —"that nuns were treated most cruelly, and were made the victims of horrors which far surpassed anything that had entered the mind of the most fanatical enemy of the convents;" and that the inmates of the convents might "be put to death or much worse." He (Mr. Callan), as a Catholic Member of that House, indignantly repudiated such charges, and he should be sorry to be proud, as he was, to be a Member of that Houes, if he made any such charge affecting any lady belonging to any other Member; or if he made such a charge, he should not shelter himself under the plea of Privilege, but come forward manfully and endeavour, if he could, to substantiate such charge. He could not but stigmatize these charges as disgraceful to those who signed and forged them; for he could not possibly believe that the hon. Member for North Warwickshire affixed his name to them. He begged to move that the Orders respectively made for receiving these Petitions be discharged.

MR. HERBERT seconded the Motion, feeling as he did that the language of the Petitions in question was most un-Parliamentary and scandalous, to say nothing of its being most unkind, involving, as it did, such reflections on the friends of Members of that House. He happened to represent a large Catholic constituency, in which there were several of these convents and monasteries, with most of which he had a personal acquaintance; and he maintained that these institutions had been of the utmost use, diffusing as they did amongst the poorer classes an amount of knowledge that was incalculable. He was acquainted with one in the county of Kildare, in which those ladies who were spoken of in such horrible terms not only imparted knowledge to the young every day, but also daily fed the children when they came to school. All that had been done by voluntary contribution. The work had been carried on by ladies of the highest rank. One of them was a sister of Lord O'Hagan. There were also monasteries the heads of which were gentlemen as much as any Gentleman of that House, and they adopted rules all of which were for the good of the community. The work was not done for gain, nor for anything but the good of their fellow-creatures. He was not going to say whether it was right or wrong to go into those places; but he maintained that it was a scandal that those men—those holy men—should be vilified in the language of the Petitions in question. Those institutions ought not to be looked upon either with the jaundiced eye of the hon. Member for North Warwickshire, nor with the bigoted views of the hon. Member for Peterborough. He believed there was not a single Catholic Member of that House who had not, either directly, or indirectly, some relative or some friend in those institutions, and it would be wrong of them not to get up and protest against Petitions containing such disgraceful language being placed on the Table of the House.

Motion made, and Question proposed,

"That the Order, That the Petition from Kensington [presented 28th March] do lie upon the Table, be read, and discharged."—(*Mr. Callan.*)

MR. MUNDELLA said, he should be sorry that it should be left entirely to Catholic or Irish Members to speak indignantly against the language employed in these Petitions. For his own part he shared, in common with all English Members, he was sure, the utmost indignation that Petitions making charges so gross against ladies who devoted their lives, whether rightly or not, to the objects of these institutions, should be presented to that House. On the other hand, he thought that the hon. Member for Dundalk (Mr. Callan) had addressed to the hon. Member for North Warwickshire language which was hardly justifiable. The hon. Member for Dundalk must know, as every hon. Member knew, that the Member for North Warwickshire was one of the most veracious, honourable, and straightforward Members of that House. The language which had been used towards the hon. Member was almost menacing. The hon. Member for North Warwickshire had not denied that the signature to the Petitions was not in his own handwriting. ["No, no!"] If he had done so, he (Mr. Mundella), for one, would believe him. No one would question the truthfulness of the hon. Gentleman the Member for North Warwickshire. The hon. Member might have presented the Petitions, as probably the majority of hon. Members had presented Petitions, without mastering their contents. He (Mr. Mundella) would acknowledge that he had frequently done so. The mastering of all the Petitions that hon. Members were asked to present would be a heavy burden for those who represented large constituencies. He himself sometimes received as many as 20 Petitions to present on the same day, and it would be extremely difficult for him to read and master all their contents; but the present instance was a warning to be careful, and for the future he should endeavour to do so. He supported the Motion that the Order that the Petitions lie on the Table be discharged, and only regretted that anything should have been said by the hon. Mover against the character of the hon. Member for North Warwickshire.

MR. NEWDEGATE: Sir, I think I have some reason to complain of the conduct of the hon. Member for Dundalk

(Mr. Callan), who, with a Notice on the Paper with reference to the discharge of an Order relating to a Petition from Chatham, which I yesterday felt it my duty to make, comes down and introduces another subject altogether respecting other Petitions, without giving any public Notice or sending me, as is usual, private Notice. I had reason to believe that my name was improperly attached to the Petition for the discharge of which the Order was made yesterday. That was unquestionably a breach of the Privilege of the House, if the offence alleged were committed. I instantly moved that the Petition be discharged, and I immediately put myself in communication with the Petitioners to know how the Petition was prepared, and how it was transmitted to this House. It is totally impossible that I could receive any reply up to this time to my communication. Before I could do so, the hon. Member for Dundalk, with a Notice on the Paper to call attention to the subject of the Chatham Petition, comes down to the House to raise a question of Privilege, of which he has given no private Notice, upon other Petitions that, he alleges, were presented in my name, and which, so far as any assistance the hon. Member has given me, I never had the opportunity of examining. The hon. Member is perfectly aware of what I said yesterday—that I was under the impression that undue liberties had been taken with my name; but before it is possible for me to ascertain whether that has been done, he comes down to raise a question as he pretends, of Privilege, but which I utterly deny to be a question of Privilege in any sense, and takes advantage of the impossibility of my having informed myself to bring this accusation before the House. Now, subject to your decision, Sir, I deny that the hon. Member has made out any ground of Privilege. If Petitioners chose to state to this House that all one side of St. James's Street consisted of brothels, that is not a breach of Privilege. The House may think fit to examine as to the truth of the allegation made, and condemn the assertion; but it is no breach of Privilege. Nothing is a breach of Privilege except allegations, or some matter in a Petition that is treasonable.

Mr. CALLAN, interposing, said he had not moved on a question of Privilege. What he had moved was, that the Orders for receiving the Petitions be discharged.

Mr. NEWDEGATE: Then I simply ask you, Sir, whether the hon. Member for Dundalk is in Order in rising now on a question, which he admits is not one of Privilege, to call the attention of the House to Petitions presented yesterday, having given no Notice of his intention to do so?

Mr. SPEAKER: The hon. Member for North Warwickshire yesterday moved that an Order for a Petition, to which his name was attached, lying on the Table be discharged. That Motion was made without Notice, and was agreed to by the House. I considered that he was justified in making that Motion without Notice, because if not a breach of Privilege, certainly a gross irregularity had been committed by affixing the hon. Gentleman's name to a Petition without his leave. Now the hon. Member for Dundalk, finding that other Petitions identical in terms and language, and having the same signature affixed to them, have been presented to this House and received by this House, he, exercising his right, as I think, has moved that the Order that these Petitions lie upon the Table, be discharged.

Mr. NEWDEGATE: Mr. Speaker, if you rule that this is a question of Privilege I am perfectly satisfied. According to inquiries I have made, the affixing of a Member's name to a document that he has not authorized is a breach of Privilege. I have not alleged that my name has been improperly attached to these Petitions; and for this reason—simply, because I have not had time to ascertain how my name has been attached. In the case of the Chatham Petition the name was misspelt, and it was not therefore my name which was attached. In the case of other Petitions, so far as I have been able to ascertain, my name is rightly spelt. I therefore ask time to inquire; but I hope the House will be cautious in what they are about to do. I do not conceive that this is a question of Privilege. I have asserted that, however gross may be the allegations introduced into any Petitions presented to this House, and however little the hon. Member who presents them may agree with them, unless there is something in them that is treasonable, seditious, or disrespectful to Parliament, such Petitions are no breach of Privilege. I humbly submit to the House that if they are asked to deal with any Petition on any other ground than that of Privilege, the ordinary rule of the House ought to be observed, and Notice ought to be given of the intention to call the attention of the House to those matters. This is a very grave question, because it involves true Privilege—the proper order of the Business of this House, and the possibility of Members being prepared to deal with the questions that are committed to its attention. I for one am quite prepared to resist this Motion, because I say there has been no breach of Privilege proved; and if it is the intention of the House to examine any Petition on other grounds than a breach of Privilege, Notice ought to be given to the Member who appears to have presented it, and to the House of the intention of some other Member to call attention to the contents of the Petition.

Mr. WHITBREAD did not see how it was possible to resist the Motion on those grounds. He did not understand the hon. Member for North Warwickshire to admit that it was his signature attached to the Petitions.

Mr. NEWDEGATE: The hon. Member will excuse me. I am not in a position to deny that my signature was attached to these Petitions by some one claiming authority from me. It is impossible, without Notice, that I should be in that position.

Mr. WHITBREAD thought that raised the question whether they ought not to adhere to the rule that the Member's name must be attached to the Petition he presents, and that it must be signed by himself, and not by any one for him. The hon. Member for North Warwickshire ought either to say that he had himself signed the Petition; or, if he would not, they ought to be discharged, because they had not got the signature of the hon. Member who presented them, as required by the Sessional Order passed at the beginning of each Session. He suggested last year, when a discussion took place on Petitions containing objectionable language, that it was almost impossible to prescribe, once for all, limits to the language in which any Petition might be couched. It was a very dangerous thing to draw a hard-and-fast line, and to say that a Petition which might contain language distasteful to some portion of the House should not be received. But he also stated that it would be a dangerous and bad thing to allow the Table of the House to be made the vehicle of abusive and scandalons language by irresponsible parties. He suggested that if they were to be tolerably liberal in the receipt of Petitions there should be an understanding that if, after a certain time, no hon. Member was prepared to move on those Petitions, an Order should be made by the House to discharge them. The Petition in question was one which it would be very difficult for any hon. Member to present, as it contained charges which were of a dreadful nature, and it ought not to lie on the Table for any length of time, unless some hon. Member was prepared to make a Motion on it or deal with it in some way. The Order of the House required that the signature of the hon. Member should be affixed by himself, and that not having been done, the proper course would be to discharge the Petition on that ground alone.

Mr. DISRAELI: Sir, the rule of the House is, that the language of Petitions should be respectful, decorous, and temperate, and, having read the Petition in question since I have been in the House, it appears to me neither respectful, decorous, nor temperate. I think the House ought to show its disapprobation of Petitions couched in such language as the one before us. But I do not wish to dwell further on that point, because there is a technical point before us which ought to guide us. The rule that every Petition should be authenticated by the signature of the Member who presents it is one to which we ought to adhere even with severity. I do not see myself that there is any mode by which we can secure the presentation of Petitions expressed in language which is respectful, decorous, and temperate if we do not adhere to that rule. I shall be prepared, therefore, to support the Motion that the Order that this Petition do lie on the Table be discharged.

Mr. NEWDEGATE begged to withdraw his opposition to the Motion for this reason—that it was no longer pretended that it was a question of Privilege. If the House thought fit to deal with Petitions without Notice, he bowed to that decision.

Sir WILLIAM FRASER thought some opportunity should be afforded the hon. Member for North Warwickshire to clear this matter up, by showing distinctly that he did not attach his signature to the Petitions, or authorize it to be done by any other person. He would therefore move the Adjournment of the Debate.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Sir William Fraser.*)

Mr. GATHORNE HARDY said, he understood that his hon. Friend the Member for North Warwickshire admitted that he did not sign the Petitions himself, and that he was not prepared to say whether he gave his authority for such signature or not. The fact that they were not signed by himself was sufficient, and it was on that ground alone the Government supported the Motion.

Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

Ordered, That the Petition be *withdrawn.*

Ordered, That the Order, That the Petition from Broadstairs [presented 28th March] do lie upon the Table, be read, and discharged.

Ordered, That the Petition be *withdrawn.*

Ordered, That the Order, That the Petition from Avebury [presented 31st March] do lie upon the Table, be read, and discharged.

Ordered, That the Petition be *withdrawn.*

CHURCH TEMPORALITIES COMMISSIONERS (IRELAND).—QUESTION.

Mr. BIGGAR asked the Chief Secretary for Ireland, If he would state to the House how much cash, if any, have the Church Temporalities Commissioners (Ireland) now in hand; are there any, and what kind, of outstanding claims against the fund yet unsettled; what is the description and value of the property which the Commissioners have yet undisposed of; how many days in each month for the past twelve months did the Commissioners meet; and what are the current expenses of the trust?

Sir MICHAEL HICKS-BEACH: Sir, the Church Temporalities Commissioners (Ireland) are not under the control of the Irish Government, and therefore my knowledge of their proceedings is only derived from their Report for 1875, lately presented to Parliament, in which the hon. Member will find all the information which he desires. I should therefore be sorry to deprive him of the profit and pleasure of reading that Report by making any extracts from it in order to reply to his Question. There is one point, however, not alluded to in that Report, the number of days on which the Commissioners have met in each month for the past 12 months. They are not bound by law, nor by the requirements of their work, to hold such periodical meetings. I believe they meet as often as is necessary for the due performance of their duties.

POOR LAW (IRELAND)—KILMACTHOMAS WORKHOUSE.—QUESTION.

Mr. ARTHUR MOORE asked the Chief Secretary for Ireland, If he would state to the House what is the average number of paupers in Kilmacthomas Workhouse; and, whether he has considered the advisability of amalgamating this union either with one or more of the unions adjacent?

Sir MICHAEL HICKS-BEACH: Sir, the average daily number of paupers in the workhouse alluded to during the year for which the Returns are given in the last Annual Report of the Local Government Board was 143. No proposal has at any time been made to the late Poor Law Commissioners or the Local Government Board to amalgamate this Union with any other, and therefore the matter has not been specially considered. But the general question of amalgamation was thoroughly considered in 1857.

INDIA—THE INDIAN BUDGET.

QUESTION.

Mr. FORSYTH asked the Under Secretary of State for India, How soon after the Easter recess it is likely that he will make his financial statement with reference to the revenues of India?

Lord GEORGE HAMILTON, in reply, said, that so long as the Indian financial year ended on the 31st of March, as the whole details of the accounts had to be considered by the Secretary of State in Council, it would not be possible under the present system to introduce the Indian Budget before the first week in June.

ELEMENTARY EDUCATION ACT, 1870—SCIENCE IN ELEMENTARY SCHOOLS.

QUESTION.

Sir **EDWARD WATKIN** asked the Vice President of the Council, If the Government intend to modify the recent regulation by which the children in elementary schools are virtually deprived of instruction in scientific subjects, because no child (according to the Minute) in an elementary school shall be presented for examination in any scientific subject until he (or she) has passed the sixth standard—a standard which comparatively few children pass, for want of the ability to remain long enough at school; and, whether, if a child, not having passed the standard, should actually leave school, it might be allowed, under the Minute, to join science classes and be presented for examination?

Viscount **SANDON**: Sir, the regulation by which children in public elementary schools who have not passed the Sixth Standard cannot be presented for examination in the Science Classes of the Science and Art Department was introduced into the Code of last year, and has therefore received the sanction of Parliament. There is no change this year. As to children who have not entered public elementary schools, or who have left them, the Code in no way affects their position, and, if they think fit, they may present themselves for examination in Science in accordance with the regulations of the Science and Art Department. As to children in public elementary schools, I would call the hon. Member's attention to the fact that those who are presented in Standards IV. V. and IV., can also take up in those schools the following, which I think I may properly call Science subjects—Mathematics, Mechanics, Animal Physiology, Physical Geography, and Botany, for which payments are made under the Code. I consider it most undesirable that children of the early age of those who attend our public elementary schools, few of whom are more than 12 or 13 years of age, should attempt to pick up a superficial acquaintance with scientific subjects of a more advanced kind than those which are mentioned in the Code, until they have received a solid foundation of ordinary education such as is provided by the Sixth Standard. I, therefore, can hold out no hope whatever to the hon. Gentleman that we can modify the regulation to which he has called attention.

PERU—CREW OF THE "TALISMAN."

QUESTION.

Dr. **CAMERON** asked the Under Secretary of State for Foreign Affairs, Whether any further news has been received at the Foreign Office concerning the murder of the first mate of the "Talisman" in prison at Callao; and, whether any information has been received concerning an assault with a knife described in a letter from the second mate of the "Talisman," as having been made upon three prisoners (a native and two British subjects) confined in the same cell with him, by a drunken prison corporal on Sunday the 20th of last February?

Mr. **BOURKE**: Sir, no communication of any importance has been received at the Foreign Office with regard to the murder of the first mate of the *Talisman*. The only communication which has been received has been communicated to the hon. Member and the friends of the mate. With regard to the second part of the Question no information has been received of the nature alleged.

ELEMENTARY EDUCATION (SCOTLAND) ACT—THE SCOTCH EDUCATION CODE, 1876.—QUESTION.

Mr. **MACKINTOSH** asked the Vice President of the Committee of the Council on Education, Whether the Scottish Education Code, ordered by Law to lie upon the Table of the House during one month to afford opportunity for amendment and discussion, was not this year presented "in dummy," and allowed to remain inaccessible to Members for 24 days after its nominal presentation; and, whether he will undertake that it shall in future be laid upon the Table in fact as well as in form within the time specified by Law.

Viscount **SANDON**: Sir, the Scotch Education Code was presented this year according to usage in dummy; but there is no doubt that, owing to accidental circumstances, a longer time than ordinary elapsed, to my regret, before it was in the hands of hon. Members. I quite agree that it is essential that hon.

Members should have the full month at their disposal within which to raise objections to the Code, and I should think it very wrong that delays in printing the document should in any way curtail the rights of the House. We have the power of altering the Code by Minute of the Privy Council, and, if any hon. Member wishes to raise objections to it in the ordinary manner, within a reasonable period, I should not think of opposing the discussion in this instance, on the ground that the strict limit of time had elapsed. By saying that, however, I must beg to be distinctly understood as expressing no opinion whatever as to the hon. Member's proposal to make a Government grant for teaching Gaelic in certain Scotch schools.

DOMINION OF CANADA—THE TREATY OF WASHINGTON.—QUESTION.

Mr. E. JENKINS asked the Under Secretary of State for Foreign Affairs, Whether he has seen the telegram from Canada to the effect that in a debate in the Dominion Parliament on the Washington Treaty—

> "Mr. Mackenzie, the Prime Minister, in the course of his speech on the subject, said that it was almost impossible to obtain an enlightened execution of the Treaty from the United States, since they refused to admit free of duty a number of articles the free entry of which had been stipulated by the Treaty. The United States also failed to enforce free navigation of the canals. He therefore advised the Canadian merchants to pay the duties demanded on the articles in question under protest, and to appeal to their Government for protection of their rights and interests. Sir John Macdonald concurred with the Premier that the construction placed upon the Treaty by the American Government was most unsatisfactory."

whether this is correct; whether it is also correct that the United States Government is interposing difficulties in the way of the meeting of the Fisheries Commission; and, what course Her Majesty's Government are taking to protect Canadian interests under Treaty with the United States?

Mr. BOURKE: Sir, we have no information with regard to the details of the debate in question other than that contained in *The Times'* telegram. There have been differences of opinion with respect to the execution of the Treaty on the points referred to, and Sir Edward Thornton has been instructed to make representations to the United States Government upon them, and communications are still being exchanged. As to the second part of the Question, I feel that this is hardly the way in which to speak of the attitude of a friendly Government on a pending question. Delays have arisen from various causes in the appointment of the Commission; but it would be manifestly inexpedient to enter into a detailed explanation at the present time. Her Majesty's Government are not unmindful of the important question involved, and will not fail to take such steps as may be proper for the protection of Canadian interests.

Mr. E. JENKINS gave Notice that he would take an early opportunity of calling attention to the subject, and would move—that the conduct of Her Majesty's Government in regard to the interests of Canada had been dilatory and injurious.

FISHERIES (IRELAND)—TRAWLING VESSELS IN GALWAY BAY.

QUESTION.

Mr. O'SHAUGHNESSY asked the Chief Secretary for Ireland, To state the result of the inquiry held in 1872 on the subject of the use of trawling vessels within the Bay of Galway; and, whether any steps have been taken since its conclusion, by the authorities in Ireland, with reference to the question then in dispute?

Sir MICHAEL HICKS-BEACH: The result of the inquiry held in 1872 was that the Inspectors of Fisheries decided to institute a series of experiments in Galway Bay, in order to ascertain the precise effects of the use of trawling vessels upon the fisheries there. These experiments were carried out by the Inspectors with the aid of the Coastguard. They necessarily took some time, and were further delayed by a Coastguard officer who had been particularly active on the subject having been transferred to another station. The Inspectors have not yet, I believe, taken any final steps on the question, but I am now in communication with them upon it.

POST OFFICE—PARLIAMENTARY PAPERS AND BLUE BOOKS.

QUESTION.

Mr. M'LAREN asked the Secretary to the Treasury, Whether it could be arranged to issue a Treasury Order, authorising the Postmaster General to convey, free of postage, for every Member of Parliament his own copy of the Blue Books and other Parliamentary Papers to such persons and places as he might address them to, it being understood that the Post Office authorities should not be bound to forward them except at such times as might be found most convenient for the departmental arrangements?

Mr. W. H. SMITH, in reply, said, he must remind the hon. Member and the House that some years ago the privilege of franking letters was withdrawn from Members, and they were obliged to pay the postage of letters to their constituents. The duty of conveying letters was primarily the first duty of the Post Office, and the presence of bulky matters, such as Parliamentary Papers and Blue Books, was exceedingly inconvenient, and tended to delay the transmission of mails. He should also say that any new duty imposed upon a public Department, such as the conveyance of such bulky matters, tended to increase the charges of the Department. Accordingly, after a due consideration of the case, he thought it would not be advisable to recommend that such books and papers should be conveyed free of charge by the Post Office.

THE "MISTLETOE" COLLISION—REPORT OF COURT OF INQUIRY.

QUESTIONS.

Mr. GOSCHEN wished to ask the First Lord of the Admiralty a Question in reference to the Papers produced on the subject of the loss of the *Mistletoe.* In explanation of the Question, he begged leave to state that the Papers produced did not contain the report or proceedings of the Court of Inquiry. They contained only the letters of the officers giving explanations and the decision of the Admiralty. He should like to ask Whether, looking to the impossibility of adequately discussing the Motion of the hon. Member for Glasgow, without a full statement of the facts being before the House, the First Lord of the Admiralty would undertake that the Report of the proceedings should be produced and delivered to Members before the Motion was brought forward?

Mr. HUNT: I beg to say that the Report was designedly omitted from the Papers laid before the House, on the ground that it has always been considered undesirable, on grounds of public policy, to produce the Reports of Courts of Inquiry, either military or naval. I have ascertained that there is no precedent for producing such Reports, and it is on that ground, and not because there is any wish to keep back anything in the present Report, that the Paper was not included in those already presented to Parliament.

Mr. ANDERSON: I beg to ask the right hon. Gentleman, if the inquiry as to the loss of the *Mistletoe* was not among the Papers asked for and promised by him?

Mr. HUNT: No, Sir.

INLAND REVENUE—PUBLIC HEALTH ACT, 1875—THE PROXY STAMP.

QUESTION.

Mr. COOPE asked the President of the Local Government Board, Whether in the election for members of Local Boards owners of property residing out of the district, who are entitled to vote by proxy under the Public Health Act of 1875, are subject to the payment of a 10*s.* stamp to be affixed to their proxy papers; and, whether, if so, he is prepared to take any steps to remove this burden?

Mr. SCLATER-BOOTH, in reply, said, that, in the opinion of the Inland Revenue Commissioners, the appointment of a proxy to vote for an owner in the election of a Local Board required a 10*s.* stamp, and that applied equally to owners resident and non-resident in a district; but an appointment once made did not require to be renewed so long as the name of the proxy remained on the register. Whether the impost could be removed was a question for the Chancellor of the Exchequer.

PRIMARY EDUCATION—LEGISLATION.

QUESTION.

Lord FRANCIS HERVEY asked the Vice President of the Council, Whether he can now state how soon after the Easter Recess he will be able to introduce the Government measure dealing with Primary Education?

VISCOUNT SANDON: I have every hope, Sir, unless unforeseen circumstances should occur, of being able to introduce the Government Bill with respect to Primary Education in the first or second week of May. I may mention, at the same time, that the Government measure was ready for introduction to the House at the beginning of the Session, and that we have only refrained from bringing it forward because it is for the advantage of Public Business to avoid, if possible, crowding the Paper with Government Business.

PARLIAMENT—PUBLIC PETITIONS FROM A FOREIGN TOWN—BOULOGNE SUR MER (BRITISH CONSULATE).

RESOLUTION.

A Petition of Inhabitants of Boulogne sur Mer relative to the British Consulate in that Town having been offered to be presented,—

MR. SPEAKER said: It will be in the recollection of the House that yesterday the hon. Baronet the Member for South Warwickshire (Sir Eardley Wilmot) offered a Petition to this House from Inhabitants of the town of Boulogne sur Mer, in France, and upon the hon. Baronet presenting the Petition I demurred to the acceptance of it because I doubted whether there was any precedent for the reception of a Petition from any foreign town; and I asked for time to consider that question. I have now to state to the House that I have searched for precedents in this matter, and I have found one, and one only, which I will now proceed to read to the House. It is as follows:—

> "17th February, 1831.—Lord John Russell presented a Petition from the inhabitants of Crete, complaining of their suffering under the Turkish Government in that island.
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> . . . .
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> "Mr. SPEAKER said that a very important question was suggested to the consideration of the House by the hon. Member for Middlesex —namely, whether petitions from persons who owed neither allegiance to, nor could claim the protection of, this country could be received. The object of the petitioners was, to obtain the interference of the Crown of Great Britain to protect them from the miseries under which they were at the present moment labouring. Was this a petition at all? and, if so, was it not a petition to the Crown of Great Britain solely? The Petition did not appear to contain any matter which brought it within the jurisdiction of the House of Commons. It commenced 'Honourable Sirs,' and stated, that 'On the renowned English people, the lovers of liberty, the patrons and protectors of the injured, the Cretans placed their last hope of salvation, looking up to them for the advocacy of the cause of Crete.' It was clear that the Petition could not be received by the House of Commons. It was an address to the English nation. Petition withdrawn. (Decision of Mr. Speaker Manners Sutton.)"—[3 *Hansard*, ii. 654-5.]

I think it right to observe to the House that it appears that this Petition was not received, mainly upon the ground that the Petition related to a matter not within the jurisdiction of the House of Commons. I have further to observe that the Petition from Boulogne offered to the House yesterday by the hon. Baronet refers to a matter quite within the jurisdiction of this House. The Petitioners pray that the Consulate in that town should remain a Consulate, and should not become, as proposed, a vice Consulate. I submit to the House that, if the House thinks fit to receive, as an act of grace, a Petition from inhabitants of the town of Boulogne—many of whom appear to be British subjects—upon such a matter, it may be received upon the ground that the subject-matter of the Petition refers to a question within the jurisdiction of this House. I may observe that, as a general rule, the House receives Petitions from all British subjects in all parts of the world, and it receives also Petitions from foreigners resident within the dominions of the Queen; but I am not aware of any Petition being received from the inhabitants of a foreign town, such as the Petition offered to this House yesterday. It relates, as I have already said, to a matter within the jurisdiction of this House; but, in the absence of any precedent, it will be for the House to determine whether it may fitly be received.

MR. DISRAELI: Sir, the House is always jealous of restrictions on the right of petitioning, and I trust that that is a feeling and a principle which will always guide the House. You, Sir, have reminded us accurately that all Her Majesty's subjects in foreign countries have the right to petition, and all foreigners in Her Majesty's dominions have also such a right. The precedent which you have quoted is one which has no affinity to the Petition of the inhabitants of Boulogne. We should recollect that at this time, when the relations between the people of this country and foreign countries are so intimate, the refusal of this act of grace to foreigners, when the matter is within the jurisdiction of the House, might be disadvantageous to the public interests. I am inclined to think the course we ought to take is to receive this Petition. I believe that, certainly, as an act of courtesy and grace, and also as a precedent, it will be advantageous. I therefore move that the Petition be received.

Motion made, and Question proposed,

"That the Petition of 'Inhabitants of Boulogne sur Mer relative to the British Consulate in that Town' do lie upon the Table."—(*Mr. Disraeli.*)

Mr. GLADSTONE: Sir, it seems to me that this is a question on which, at any rate, it seems desirable that we should not proceed with haste. I do not know, Sir, whether I have collected with perfect accuracy the effect of what has fallen from you; but I understand the case to be this—that on the surface of the matter there appears to be a precedent against the reception of a Petition from foreigners resident in foreign countries; but that, upon the examination which you have been good enough to make, it seems there are circumstances of difference in the case, which you have made known to us, sufficient to show that we are not bound by that precedent. I imagine the effect of that to be—giving full force to the judgment you have pronounced—that while there is no precedent to require us to decline to receive the Petition, there is certainly no precedent which would bind us to receive it; that the question is one entirely new, and really amounts to this—whether we shall now make a precedent in favour of receiving Petitions from the subjects of a foreign Power not resident within the British dominions. There seems to be three classes of persons from whom we receive Petitions. In the first place, all subjects of Her Majesty residing within the limits of the British Empire, which is the simplest of all the three cases. Of their right to petition there can be no question. The second is the case of British subjects residing beyond the limits of the British Empire. That also appears to follow naturally out of their relations to the Houses of Parliament, because these persons, though temporarily non-resident, or even if permanently non-resident, are in no respect dismissed from their allegiance. All our rights over them exist and remain intact; and, consequently, all their rights in relation to us, as they are doing nothing illegitimate to us, would be held to remain intact also. Then, thirdly, there is the case mentioned by the right hon. Gentleman opposite, of foreigners resident within the limits of the British Empire. I understand we are in the habit of receiving Petitions from such foreigners. That likewise appears to me to be a perfectly clear case in point of principle; for such foreigners, living under the protection of our laws, apart altogether from what they may continue to owe to their own country, owe for the time temporary allegiance to this country. I agree that there is force, as an appeal to feeling in the consideration mentioned by the right hon. Gentleman, that it is desirable to perform any act of grace or courtesy towards the inhabitants of foreign countries, provided we can perform it without apprehension of probable future difficulties in consequence of our act. I recollect, in one instance during my official experience, having received a memorial from a large number of wine growers in France. I did not feel any difficulty whatever as a Member of the Executive Government in answering that memorial; but that is a very different question from that now before us. You have stated, Sir, that this is a matter within the jurisdiction of the House of Commons, and I perfectly understand the sense of those words is, that it is a matter in which this House is perfectly free to act if it thinks fit. Whether there should be a Consulate or a vice-Consulate is a matter on which the House, if it thinks fit, may claim to give an opinion, by address or otherwise. At the same time, I would observe, it seems to me that if a Petition of this kind is to be received we have not, in the first place, those means of examining or inquiring into the circumstances under which the Petition was prepared, or of dealing with it upon its merits, which we would have in respect to all Petitions proceeding from our own fellow-subjects, because we have no rights over the parties who present them. In the next place, I am rather struck by the nature of the Petition. This is a Petition to the effect that some measure which I presume has been contemplated by Her Majesty's Government for the reduction of a Consulate to a vice-Consulate—very properly suggested by the vigilant zeal of the Secretary of the Treasury, whom I see in his place—may not be carried into effect. It occurs to me that there is some danger in giving encouragement to Petitions of this particular description; because I can imagine it to be possible—although, of course, I have no knowledge of the facts of the present case—that some one whom Her Majesty's Government intended to make a vice-Consul might be possessed—and, perhaps, very properly—of so high a sense of his own merits as to think it would be much better that he should be made a Consul, and therefore would make use of his influence in a foreign town to get signatures to a Petition to be presented to this House praying that it might be a Consulate instead of a vice-Consulate—or, in other words, that he might be a Consul instead of a vice-Consul. There may be some danger, I think, of Petitions of this kind being got up; but, independently of that, I am very reluctant to come with haste to any affirmative decision on this matter. I cannot escape from the idea that there are possibilities of serious inconveniences involved in the reception of Petitions from the subjects of a foreign Power. We have no rights over them; they have no relations to us. Courtesy and grace are excellent things; but the right of petitioning has nothing to do with courtesy or grace. It is a security for the discharge of mutual rights and mutual obligations. I think that if we heard that the inhabitants of Dover were petitioning the French Legislative Chambers, as Englishmen we should not much approve of it, and should not like to see the example followed. I do not now wish to give a final opinion on the subject, and if we were called upon to give a final opinion now, I should give it reluctantly. We should keep on safe ground. I do not see any principle leading us to pronounce an affirmative decision on the matter; and if the question were to be decided now, my disposition would be to decline to receive the Petition.

Lord JOHN MANNERS: The right hon. Gentleman has classed among the Petitions that ought properly to be received by this House Petitions sent by subjects of Her Majesty temporarily residing abroad; and that is precisely the case in regard to this Petition. There are numerous signatures of Her Majesty's subjects residing in Boulogne attached to the Petition, and therefore, according to the statement of the right hon. Gentleman, it ought to be received. There are also signatures of certain French subjects, and to those the objection of the right hon. Gentleman should be rather applied; but it would be an act of discourtesy to strike out a number of signatures from a Petition sent by those who are unquestionably subjects of Her Majesty, petitioning this House on matters most germane to their interests and feelings. Therefore, I should say, upon the whole, it would be better to accept the Petition as it stands.

Sir EARDLEY WILMOT, having presented the Petition, wished to explain that the facts of the case were these—For a long time there had been a British Consulate, but it was reduced to a vice-Consulate, and the object of the Petitioners was to restore the office to its former rank. A great many English people resided in Boulogne, which was a town increasing rapidly in importance. One-half of the imports, amounting altogether to £35,000,000 sterling, from France to this country, and one-third of the exports from the United Kingdom to France, passed through Boulogne, and a new quay—the Quai Napoleon—had been opened, affording very superior accommodation to every class of ships; and the Petitioners felt that the dignity of this country was not adequately represented by a vice-Consulate in such an important town.

Mr. GLADSTONE: I addressed the House under an entirely false apprehension that this was a Petition from foreigners. Of course, I do not wish to treat it as being vitiated by the presence of a certain number of foreign signatures. Perhaps, Sir, you will be good enough to state to the House the nature of the Petition.

Mr. SPEAKER: When the hon. Baronet presented this Petition yesterday, I particularly asked him whether it was from British residents in Boulogne. Had he answered in the affirmative, I should have made no objection to the reception of the Petition; but the hon. Baronet read the heading—"The humble Petition of Inhabitants of Boulogne-sur-Mer, in France;" and upon that, I demurred to its being received, upon the ground that it was from the inhabitants of a foreign town. The hon. Baronet stated that it was signed largely—and on the face of the Petition it appeared to be so—by British residents; but I could not do otherwise than regard a Petition with that formal heading, as a Petition from inhabitants of Boulogne-sur-Mer.

MR. DODSON said, they were placed in a position in which they ought to be careful how they acted. The Petition came from the inhabitants of a French town, and was largely signed by French names. The first name subscribed to it was that of a Frenchman, who described himself as Mayor of Boulogne. No doubt, there were English names to the Petition, but they had no evidence to show that the English Petitioners were not naturalized French subjects. At all events, the Petition emanated from a foreign town, and there was no precedent for the reception of such a Petition, although there was no precedent the other way. Under the circumstances, he could not but think that the best course to pursue would be to send the Petition to a Committee, who would search for precedents and report to the House on the subject.

SIR H. DRUMMOND WOLFF thought it would be a most dangerous precedent to allow the Petition to be received without further inquiry. He could conceive nothing more compromising to our relations with foreign countries than to allow inhabitants of them to appeal to the English House of Commons. Circumstances were possible under which the inhabitants of a foreign town might appeal to that House against an act of legislation which was desired by their own Government. For instance, a treaty of extradition might have been signed, requiring an Act of Parliament to be passed in consequence, and the inhabitants of some town in France or Germany, or anywhere else, might object to such a law being made, and appeal to the House of Commons. He therefore agreed in the view of the right hon. Gentleman the Member for Chester, that an opportunity for deliberation should be given before the Petition was received.

MR. LOWE: We seem to be a little at issue as to whether this is really and substantially a French, or an English Petition. I would venture to submit that it would be a good plan to refer the Petition to the Committee on Petitions, to report to us as to what is the nature of the Petition. We have not the facts before us which it is necessary we should have before we can arrive at a satisfactory conclusion. We do not know whether it is a French or an English Petition. The initiatory names appear to be French, and other names appear to be English. Before we came to a decision, we ought to have before us the report of our own Committee on the subject.

LORD ROBERT MONTAGU asked, whether a Petition would not have to be received and lie upon the Table, before it could be referred to the Committee on Petitions?

MR. SPEAKER: Any Petition to be referred to the Committee on Petitions, or any other Committee of the House, must first be received by this House.

MR. SULLIVAN said, that the precedent they were about to set would have an interesting, if not an important, aspect in reference to a large number of citizens of the United States. He had seen it stated in the public prints that a Petition to that House, or to the Government, was being very largely signed—indeed, it was said that it would bear the signatures of 3,000,000 of Irishmen, now citizens of the United States—praying for the release of the political prisoners. He mentioned the fact in order that the House might see what was before them if they made a precedent by receiving the Petition under consideration.

SIR WILLIAM FRASER said, that it was not easy for hon. Members at the lower end of the House to catch every word that was uttered at the upper end, but he agreed with those hon. Members who held that they were in danger of establishing a precedent which would lead to complications practically unlimited. Religious Petitions in large numbers would flow in from Continental States, and other evils would arise. He therefore hoped the Petition would not be accepted without consideration, and at all events, without consulting the tribunal which generally inquired into these subjects.

MR. O'CONNOR POWER said, the Petition now in course of signature in the United States was to be presented not to Parliament, but to Congress, on behalf of an imprisoned American citizen. It was necessary to correct the statement of the hon. Member for Louth (Mr. Sullivan) in that respect, lest what he had said should deter the House from acting on the suggestion of the Prime Minister. The Speaker had made an observation which afforded a sufficient protection against any possible danger in future, for he had pointed out that the Petition referred to a subject over which the House had special jurisdiction. The cases in which they were likely to be appealed to by foreign citizens on matters over which the House had jurisdiction must be very few indeed. He saw no reason for delaying the decision of the House in assenting on grounds of courtesy and grace to the Motion of the Prime Minister.

Mr. CARTWRIGHT said, that the remarks of the hon. Member who has just spoken supplied further reasons for doubting the expediency of receiving the Petition. Although the Petition referred to by the hon. Member for Louth (Mr. Sullivan) might not be intended for the House of Commons, there was no reason, if this, as he thought, dangerous precedent were to be established, why another Petition should not be got up in America and addressed to the House. The hon. Member for Mayo (Mr. O'Connor Power) had said nothing in proof of his allegation that there were few questions beyond the jurisdiction of the House on which foreigners were likely to address it. He believed there were many such questions which might crop up any day. He would refer to only one. They had heard of a proposal to appoint an English Commissioner with reference to the finances of Egypt. Was it impossible that the merchants of Alexandria should get up a Petition to the House on that subject; and if this Petition were received how could they refuse to entertain a Petition of the kind which he suggested? In such a case, there was no knowing what dangers it might lead to. The precedent would, in his mind, be a very doubtful one, and ought not to be set without due deliberation.

Mr. GATHORNE HARDY: The discussion which has taken place upon the subject shows that there is a great deal of doubt in the minds of many hon. Members as to the proper course to be pursued upon this occasion, and I am sure that my right hon. Friend will agree with those who have spoken, at all events, in thinking that in regard to an act of grace to a foreign town the House should be unanimous, and that we should have no division. It seems to me that a very grave question may arise as to whether it is right, in consideration of our diplomatic relations with other countries, that we should receive a Petition from a foreign town or country without knowing whether their Ambassador in this country is acquainted with what they have done, or has sanctioned it. As right hon. Gentlemen opposite who have been in office will remember, in dealing with a foreign subject we always take care that he approaches us through his Ambassador, and I think that is a subject well worthy of consideration. I would therefore suggest that my right hon. Friend should withdraw the Motion he has made, so that we may move for a Committee to inquire into the question, and report upon it.

Mr. DISRAELI: As there seems to exist in the House some doubt and great anxiety not to have any division of opinion, I will withdraw the Motion I have made, and avail myself of the suggestion of my right hon. Friend.

Motion, by leave, *withdrawn.*

Mr. GATHORNE HARDY: I think the best way will be to give Notice that on Monday a Motion will be made for a Committee to which this Petition can be referred.

SUPPLY. COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

PUBLIC SCHOOLS ACT, 1868.

RESOLUTION.

Mr. KNATCHBULL-HUGESSEN in rising to call attention to certain defects in the "Public Schools Act, 1868," and the position of assistant masters under that Act; and to move—

> "That a Select Committee be appointed to consider whether any alteration is desirable in the existing relations between the Governing Bodies, Head Masters, and Assistant Masters of the seven schools under the operation of that Act,"

said, he hoped he should be acquitted by the House and the Government of any disrespect or want of courtesy for not having postponed his Motion. He should have done that readily, if there had been any general expression of a desire that he should do so. So far, however, from that being the case, he had only, on the preceding day, received many representations, all of which were to the contrary effect. He knew that in bringing the question forward he incurred some responsibility. There were many who would meet him with the remark—"Pray let our Public Schools alone. The less they are interfered with from outside, the better for them." There was so much truth in that remark, if it was applied to a constant and unnecessary interference, that he could well understand the feeling with which it was made, and the dislike which was entertained to a Public School discussion in that House. But there were exceptional cases, in which such a discussion was not only desirable, but imperatively necessary, and the present was, in his opinion, one of them. An evil had arisen directly out of the legislation of recent years, and to that evil he wished to call the attention of the House. When Parliament, selecting seven of the principal Schools in the country, determined to make them the subjects of special legislation, several consequences immediately of necessity ensued. In the first place, anything that was private in the character and constitution of those schools was so far swept away, that they became emphatically the Public Schools of the country, in which the public had a right to take an interest, and which were brought more directly within the control of public opinion and under the eye of public criticism. In the second place, being governed by the provisions of an Act of Parliament, which, as a first attempt at legislation upon the subject, could hardly be expected to be perfect in all its details, these seven schools became at once a fair and natural object for Parliamentary inquiry from time to time, in order that it might be seen whether the working of that Act had answered the anticipations of its promoters. And, thirdly, having been ranked and recognized among the acknowledged institutions of the country, the public had a right to expect that the same constitutional principles which permeated our whole Government would be found henceforth existing and flourishing in these Public Schools. If then the subject was one fairly open to public criticism and Parliamentary inquiry, he should have owed no apology to the House if he had merely come there to show some defect in the machinery established by the legislation of 1868. But the matter was of wider and graver import: he should show that a body of men, most hard working, meritorious, and valuable to the education of the country, had, by recent legislation, been placed in a position wherein they were compelled to give their services under conditions more stringent, galling, and onerous than was the case with any other body of their fellow-countrymen, or with any similar body of men in other countries. He should show that in this country, which prided herself upon the possession of equal laws for all her subjects, and of constitutional liberty greater than that possessed by other countries, there existed in one class of her public institutions—and in one alone—a despotism unknown in the similar institutions of other countries, and an absolute power as injurious to him who wielded it as to those who had to submit to its exercise. He should point out, moreover, this strange anomaly, that they who doubtless wished their sons to inherit that independence of thought, that freedom of speech, those general principles of liberty which stamp the English character, had been content that the men to whom they entrusted the education of those sons should be obliged to submit to a system under which their tongues were tied, their very thoughts suppressed, and their independence crushed out beneath the pressure of a degrading thraldom. And when he should have shown that this was no whim, no fancy, no crotchet of his own, but a real evil—living, present and active in our Public Schools—threatening their future welfare; grievously felt by those who were doing the educational work within them, and acknowledged even by those in whose hands this absolute power was placed, he should not only stand in need of no apology but should have earned the gratitude of those who cared for the educational efficiency of our Public Schools, in affording to Parliament an opportunity of removing a grievance which its own legislation had created. It was unnecessary to inform the House that the class of men to whom he had alluded were the assistant masters of our Public Schools, in the name and by the authority of a great majority of whom he introduced this subject. They were the men upon whose shoulders really rested the fabric of our Public Schools; they bore the burden and heat of the day; they had adopted the education of youth as a profession, and their heart was in the work. Upon the result of those men's work depended the future career of very many of those who would hereafter possess in this country all that social power and influence which followed the possession of monied and territorial wealth. It was not surprising that such men should feel something of the responsibility of their position, and should desire that in the exercise of their duties they should be as much recognized and protected by fair and equal laws as the members of any other profession. Before refusing this, Parliament was bound to show something so exceptional in their position as to justify a refusal which could not otherwise be maintained. There was no greater mistake than to speak of the assistant masters of Public Schools as if they were mere teachers in private establishments. After they had acquired houses, they much more nearly resembled the heads of Colleges, affiliated to a University, or the masters of a number of small schools incorporated together. They were part and parcel of the Public School system, and after they had become established at their several schools each of them occupied a position from which his sudden removal could not but operate injuriously to the school. Their complaint was that by the provisions of the Public Schools Act they were not only subject to such removal, but might be turned adrift without knowing the reason why, without the statement of any definite charge against them, and without any opportunity of justifying themselves and vindicating their character. The effect of this state of things could not be better described than in the words of the Petition which he had presented—

> "That a sense of insecurity has arisen, and has been gradually increasing among your Petitioners since the enactment of the aforesaid clause; and that this feeling is likely to operate to the detriment of the Public Schools by disturbing the cordial relations which have generally existed between Head Masters and their assistants, and by discouraging men of high attainments and independent character from accepting or permanently retaining appointments from which they may at any moment be removed by the simple fiat of their immediate superior."

The Petitioners went on to say that they—

> "Entirely disclaim any desire to interfere with that authority of Head Masters which is necessary for the maintenance of discipline in their several schools, but they respectfully submit that this will in no way be impaired by the concession to your Petitioners of such security in their profession as a body of educated gentlemen may not unreasonably claim."

Considering the character and position of the men who filled the post of assistant masters in the Public Schools, he thought the House would be disposed to allow that they would not present themselves to Parliament as Petitioners unless they felt warmly upon the subject. Their feeling was not only warm, but it was very widely spread. Two schools alone out of the seven had at all shown reticence in the matter. The younger masters at Charterhouse had abstained from signing, though he had no reason to believe that their feeling was hostile to the Petition. The other exception was Eton. The House would easily understand the reason of this. There had been a feeling among Eton men that this Motion might be converted into an attack upon their Head Master on account of recent occurrences, and although such was by no means his intention, the feeling had doubtless operated to deter many masters from affixing their names to a Petition which might be made the foundation of such an attack. As it was, 16 good men and true from Eton had signed the Petition, among whom were some of the best and most rising masters of the School. In the other five Schools the feeling had been almost unanimous. At Harrow, Shrewsbury, and Westminster every assistant master had signed it. At Winchester it had been signed by every assistant master but one; and at Rugby by 17 out of 20, so that the complaint came before them endorsed by more than two-thirds of the whole body of assistant masters, and had every claim upon their attention. He owned that he was confronted by the Report of the Commissioners of 1864, who thought Head Masters ought to have uncontrolled power of appointing and dismissing their assistant masters. Doubtless, the Commissioners expressed that opinion, but it was founded on no evidence whatever, and, indeed, they took no evidence on the point. Besides, it was very natural for the Commissioners to entertain that opinion, for, as they themselves remarked, up to that time no assistant master had ever been dismissed from any of those Schools, because under the old statutes there were checks in every instance, except, he believed, at Westminster. Part of his argument was, that since those checks were removed by the legislation of 1868 cases of dismissal had occurred. Whatever might be the opinion of the Commissioners in 1864 we now had experience which they did not possess, though he need not use that argument, inasmuch as many parts of their Report were not compatible with the recommendation which he had just quoted to the House. He found several passages in which they leaned against the uncontrolled power of Head Masters and spoke of assistant masters not as the servants of Head Masters, as they seemed often now to be considered, but as their counsellors and advisers. Take, for instance, their Report about Eton. There, under the old system, the control of the Provost over the Head Master had been as they said, "active, extensive and minute." The Fellows of Eton had given strong evidence in favour of the maintenance of this control. A general wish had been expressed—

> "That the Head Master should have full scope in questions of detail, and in the ordinary administration of the school, but not that he should be absolutely uncontrolled. There is also a pretty general wish that some voice or influence should be definitely assigned to the body of assistants or some of its chief members."

The Commissioners also said that—

> "The want of regular meetings for consultation and of recognized opportunities for making suggestions and freely discussing them has worked prejudicially in the relations of the assistants towards their heads, and towards each other, whilst it has probably retarded very much progress of improvement in the School."

Therefore, the Commissioners strongly recommended that there should be a School Council composed of the assistant masters, and that the duty of that body should be to give advice and offer suggestions to the Head Master. Another recommendation of the Commissioners was that this Council should have the power to address the Governing Body apart from the Head Master, and this surely was not compatible with the fact of the Council being composed solely of nominees, subject to dismissal at the caprice of the Head Master without any appeal. A Council of this kind would be valueless unless it contained some element of independence, and, therefore, when the School Commissioners recommended in one paragraph the appointment of such a Council, and in another paragraph that the Head Master should have the sole power of appointing and dismissing the assistant masters, he was forced to the conclusion that among the numerous details which they had to discuss, they did not give full consideration to the question as to what the status of the assistant masters ought to be. It was a point which had required to be tested by experience, and that experience they had now acquired. And now he came to the most difficult and delicate part of the case. If no instance of hardship could be adduced, it might be said fairly enough that the complaints of which he was the mouthpiece were ill-founded and that the fears which he expressed for the future were idle and visionary. Consequently, it would be his duty to allude to facts which had actually occurred and to individuals who had suffered from the legislation of 1868. Two Public Schools had afforded striking examples of the evils of which he complained. In December, 1870, the then Head Master of Rugby dismissed two assistant masters. This was at a time when the Public Schools Act had been passed, but a new Governing Body had not yet been appointed. The matter, therefore, came before the old Trustees, who had themselves recently appointed the Head Master, and who could not be suspected of any bias against him. Of the two assistant masters who were dismissed, one was a foundation master, and had an appeal under the old statutes. He did appeal, and the Trustees, after fully hearing the case, refused to sanction the dismissal. But his colleague, whose case was precisely similar, not being a foundation master, had no appeal, and consequently he had to go. Here was an unfairness and an inequality, but the Public Schools Act removed this inequality by increasing the unfairness. It took away the right of appeal from the foundation masters, so that now every assistant master at Rugby was equally under the complete control of the

Head Master, who was only bound to notify the fact and the grounds of a dismissal to the Governing Body who could not interfere. Let them mark how this complicated the relations between Head Masters and Governing Bodies. In September, 1873, the same Head Master dismissed another assistant master. The Governing Body was appealed to, but it had now no power to intervene and the assistant master had to go. But what followed? The body of assistant masters loudly complained and subsequently he was informed that, without hearing the case, the Governing Body dismissed the Head Master, whose successor reinstated the dismissed assistant. He was not there that night to enter into the grievance of the Head Masters, though he was willing also to give them an appeal; but he contended that the Rugby cases he had quoted showed clearly that the relations existing between the Head Master, the Governing Body, and the assistant masters were of so unsatisfactory a character that an inquiry with a view to amend them was desirable, if not absolutely necessary. He now came to the case of Eton. Well, he had been told by those kind friends who always told one such things, that he must take care what he said about Eton, because there was a prejudice against him for having interfered in Eton matters. He was too old a Member of the House of Commons to be guilty of the bad taste of talking about himself; but as he had been subjected to much abuse on this subject he might, perhaps, be allowed to make two remarks. Upon the two occasions on which he had interfered with Eton matters he had done so not by his own wish, or to serve any possible personal object; but at the earnest request of others who could not well speak for themselves. He was made acquainted with the notice of dismissal served upon Mr. Browning immediately after it had been given, and he immediately deprecated publicity in the interests of the School, and strongly urged private mediation in every form. His advice was followed for nearly two months, but the Head Master remained inflexible, and when publicity became unavoidable he thought he should be showing a cowardice, which he hoped was foreign to his nature, if he had refused, at the earnest request of Mr. Browning and his friends, to be the medium through which publicity should be given to the case. And as he had been accused of being a prejudiced partizan in this case, he might say that two or three years ago his prejudices were so warmly in favour of the Head Master that nothing but the inexorable logic of facts and events could have induced him to change his opinion. Having made these remarks, he would put everything personal aside. He would altogether put aside the merits of the case between Dr. Hornby and Mr. Browning. What he was concerned with was the manner of the dismissal. He would even suppose, for the sake of argument, that there were good and valid reasons for Dr. Hornby's giving notice of dismissal on the 15th of September to a master with whom he had been on perfectly good terms two days before. But let the House mark the sequel and they would no longer wonder at the apprehensions entertained by the body of men whom he represented. Mr. Browning appealed to the Governing Body. Dr. Hornby denied that he had any appeal. To the same Body went at the same time a remonstrance from 35 parents whose sons either were at Mr. Browning's house, or were about to go there, and who would be put to great inconvenience by his dismissal, asking the Governing Body to investigate the cause of that dismissal. Now what was the position of the Governing Body? Half the world believed even now that they fairly heard both sides and endorsed the Head Master's decision. It was no such thing. That was part of the hardship of these cases. A trial was supposed to have been held which never was held at all. The Governing Body came to a resolution, that it was—

> "Not competent to them to enter upon the question of the legality of Dr. Hornby's conduct in giving notice of dismissal to Mr. Browning," but they "requested Dr. Hornby to furnish them with a statement of the circumstances under which he resolved on taking that step," and subsequently they came to the conclusion "that no case existed for action on their part."

Now, he confessed that the action of the Governing Body had always appeared to him somewhat extraordinary. The Head Master held his office at the pleasure of the Governing Body. This appeared to imply, not only that the Governing Body had the power to dismiss the Head Master, but that they had the power of investigating any charge made against him, which, if proven, might lead to his dismissal. Well, here was a charge made of an unjust dismissal of an assistant master. The Governing Body might have been right if they had refused to admit the *locus standi* of those who complained; but he could not see how they could have been right in practically admitting that *locus standi* by calling upon the Head Master for his reasons, and afterwards declining to investigate the case. Yet that was what they did. He saw his right hon. Friend the Member for the University of Cambridge (Mr. Spencer Walpole) in his place. He was a member of the Governing Body of Eton. Would he perform a simple act of justice to-night by stating what the Governing Body held to be the law on the subject, and whether it was not a fact that the Governing Body simply intended by their resolutions to declare that they had no power to sit as a Court of Appeal in the case of a dismissal of a master, and that unless they were prepared to dismiss the Head Master they had no right to interfere. He wished his right hon. Friend would tell the House something more. When it became known that the Head Master had furnished his reasons for the dismissal, the dismissed assistant and his friends earnestly demanded that those reasons, constituting the charges against him, should be furnished to him, especially as he had sent to the Head Master a copy of every document which he had submitted to the Governing Body. The request was not an extravagant one, but it was refused. But it was currently reported, and was believed to be true, that there were some members of the Governing Body who had sufficient love of good old English fair play to hate the Star Chamber secrecy in which their proceedings were shrouded, and to hate still more the idea of allowing a man to be condemned and punished without being even permitted to see a copy of the indictment against him. It was said that these men were bold enough to propose that the charges furnished by the Head Master should be made known to the accused, and that their proposal was only defeated by a majority of 1. He should like an account of this matter from his right hon. Friend. But, whatever might have been the action of the Governing Body of Eton in this case, this much was certain, they did not—perhaps they could not—prevent the dismissal of Mr. Browning, but within a few weeks of that dismissal six of them—being a clear majority—gave that gentleman strong testimonials in support of his candidature for another office, and one of the most eminent—namely, the Master of Trinity—declared that with regard to the late "painful misunderstanding" at Eton, nothing had come to his knowledge to shake his belief that, as Head of another school, Mr. Browning would in all probability be eminently successful. Now, Mr. Browning's case to-day might be the case of any other assistant master to-morrow. To this hour neither he nor his friends were aware of the real reasons of his dismissal. He (Mr. Knatchbull-Hugessen) had his own theory, and other people might have their theories. The one certain fact remained that an assistant master of many years' standing and of high reputation, and one who had since received high testimonials from the majority of the Governing Body of Eton, had been dismissed at three months' notice, and that no opportunity had been given him of knowing and meeting the charges against him so as to vindicate his character before the public. He respectfully put it to those who were fond of advising us to "wash our dirty linen at home," and who professed to detest Public School scandals, that the surest way to perpetuate these scandals was to maintain a system by which a man had only the alternative of an appeal to the public Press or to a Court of Law in order to free himself from mysterious charges made by those who were reluctant to submit them to the open light of day. And now, if the grievance which was felt by those for whom he now pleaded was a real and tangible grievance, was there any valid reason why Parliament should not grant a remedy? One difficulty stood in the way. There was a general and strong feeling among Public School men and among others in favour of maintaining the authority of Head Masters, and there was a fear that this authority might be weakened or impaired by an improvement of the *status* of assistant masters. This feeling in favour of authority was a natural feeling; it was one which he shared, and if he thought that legitimate authority would be diminished or jeopardized by conceding that which he asked, he should hesitate long before he counselled the concession. But authority unrestrained was not always either the best kind of authority or that which was most likely to be permanent. Authority exercised arbitrarily and harshly had a tendency to weaken itself, and if by the imposition of a wise and moderate check we could prevent such harsh and arbitrary exercise, we should not weaken, but should, on the contrary, render more robust and permanent that legitimate authority which we all wished to support. There was no man more decidedly anxious than he was that the Head Master's authority should be absolute in all matters connected with the discipline and internal regulation of the School. He would continue to him the power to appoint the assistant masters, and even give him the power of dismissal at three months' notice until an assistant should have served a probationary period of, say, two years; but there should be a period at which the assistant should be held to have become one of the permanent staff of the School—a recognized member of the profession, and then, inasmuch as the School was a Public School and not the private establishment of any Head Master, the removal of one of the staff ought not to be effected without some more constitutional process than the mere *ipse dixit* of the Head Master, without reason given and without appeal permitted. He should have a strong case if he relied only upon the arguments of the Petition which he had read to the House. But he had still stronger claims upon their consideration. He was about to quote the opinions of the Head Masters themselves, and their opinions ought to be known in a matter in which their authority was involved. And he was bound to say that from a Head Master's point of view some concession was absolutely necessary, in order to remove an undue amount of responsibility from the shoulders of Head Masters, and, at the same time, to put an end to the feeling of insecurity and uneasiness which certainly existed to a very large extent among their assistants. Dr. Hornby's opinion upon this point was stated in one of his published letters upon the 18th of October last year. He said—

> "As to the appeal to the Governing Body, I wish you all success. I should be only too glad if there were an appeal, and if you can get one thus, or through the action of Parliament, I shall rejoice. I have often said this of late years, feeling how valuable it would be to a Head Master. Indeed, it is almost necessary in such serious cases as this that he should have some superior to whom he can justify his course."

The assistant masters of the seven Schools held a conference upon this subject early in the present year, and obtained the opinions of the other six Head Masters. They were disappointed in only one instance. Dr. Haig-Brown, of Charterhouse, wrote in December—

> "I have always thought that there ought to be a right of appeal against the dismissal of an assistant master, and have frequently expressed an opinion to that effect, quite independently of recent occurrences at Eton."

But by January 28th some strange and occult influences had brought Dr. Haig-Brown to believe that the opinion he had "always thought" and "frequently expressed" had been wrong, and he curtly wrote—"Some recent occurrences have led me to alter this opinion;" and in answer to a last appeal, he plainly said that he thought—

> "the clauses in the Public Schools Act which regulate the appointment and tenure of Head and assistant masters contain wise and salutary provisions," and he believed that "any alteration of either of these clauses in the sense of your Petition would be prejudicial to the best interests of the Schools."

Now, without any wish to undervalue Dr. Haig-Brown, the views of a gentleman who stated one thing in December as his deliberately-matured opinion and then put forward an opinion diametrically opposite in January would probably have less weight with the House than if they had been advocated consistently from the first. Dr. Scott, of Westminster, thought the power of dismissal which the Head Master of Westminster had always possessed, ought not to be taken away, but added—

> "At the same time I feel strongly that no master of standing and proved efficiency ought to be dismissed without due notice given, and definite reasons" to be "communicated to the master whose interests were affected, so as to afford him the opportunity of reply and defence, but not of reversing the Head Master's decision."

Dr. Ridding, of Winchester, wrote—

> "I hope that you may be able to obtain the relief you desire. I quite think there is reason in your dissatisfaction. I think that masters who are established at a school have a claim to some substantial tenure and a satisfactory *status*."

The Head Masters of the other three Schools—Harrow, Rugby, and Shrewsbury—wrote still more strongly. Mr. Moss wrote from Shrewsbury—

> "I cordially concur in your Petition to the Houses of Parliament that some change may be made in the 13th clause of the Public Schools Act."

Dr. Jex Blake, of Rugby, said—

> "My wish for my own colleagues is that they should have an appeal in case of dismissal, and at the next meeting of our Governing Body I shall ask them to secure this in the case of Rugby."

The last letter with which he would trouble the House was from the Head Master of Harrow, Dr. Butler, written in the spirit and feeling of a man worthy to preside over one of the greatest of our English Schools. He said—

> "In reply to your letter I have no hesitation in saying that I concur in the spirit of its arguments and of the Petition which accompanies it. I am clear that at the great Public Schools it is desirable that the assistant masters should have some greater security in the tenure of their offices than they at present possess. In what precise form that security may best be given I need not now attempt to define; but unless some reasonable modification of the law as it now stands can be devised, I apprehend real practical dangers to the best interests of education. I think the position of assistant master will get a bad name at the University, and that first-rate men will more and more fight shy of it. A great School officered by a second-rate staff would soon cease to be great. I sincerely hope that your Petition will have a kindly reception in both Houses of Parliament."

Here, then, was a clear majority of the Head Masters themselves in favour of some check upon this power of dismissal, and a still larger majority, in fact, almost unanimity, in favour of giving an opportunity of defence and vindication of character to any accused assistant master. But he might be asked, what check did he desire or what check could he devise which would not unduly interfere with the authority of the Head Master? He did not think the question difficult of solution. When an assistant had been two years in the school, he would have him only removable by the Governing Body upon the complaint of the Head Master. The Governing Body should have no power of interference between the Head Master and the assistant masters, but their power should be called in by the Head Master, if he found himself unable to control an assistant. It should be provided that the charges should be made known to the accused, that both sides should be fairly heard, and it should be expressly enacted that the decision of the Governing Body should be final. He would rather himself have the appeal to an Education Minister, but this would, at least, be a step in the right direction. When they had done this, they would not have done as much as was done in France and in Germany, for the protection of those engaged in educational work, but they would have effected an immense improvement and put an end to a great injustice. A common answer to any such proposal as this was to abuse Governing Bodies in what he must call a foolish and unreasoning manner. It must be remembered that Parliament had given these Governing Bodies several curious duties to perform, and some of them they might not have done very well. Doubtless, they were not perfect, but this was just one of those functions which they would be likely to discharge satisfactorily. These cases had occurred only since the old checks had been removed. If these were re-imposed, they would, probably, cease to occur. In that case the Governing Bodies would not often be called upon to act. Assistant masters with the terror of a Governing Body before them would be very unlikely to run counter to the Head Master; and he, with the knowledge that he had the power of the Governing Body behind him, but that that power would be exercised fairly and impartially, would not invoke it lightly or without good and substantial grounds. And now he had almost completed his task. Imperfectly, no doubt, but to the best of his ability, he had brought forward the case of a comparatively small, but a valuable class of men, who, labouring under a grievance imposed upon them by our legislation, came to ask for a remedy. No doubt it might be inquired why, having not only stated the grievance, but suggested the remedy, he did not embody that remedy in a Bill and submit it to the House of Commons. His answer should be clear and explicit. He had two reasons for abstaining from the introduction of a Bill. He felt, in the first place, that the prominent part which he had played in the recent transaction at Eton would unfairly prejudice any measure upon the subject which might be introduced by him. He would not have the House suppose that he regretted having taken that part. On the contrary, he regretted nothing save his inability to prevent, either by private intercession first or public protest afterwards, an act of grievous injustice unprecedented in the annals of Public School life. And he had another reason. The Public Schools Act of 1868 was brought in and passed by the Government of the day. If defects in its working had been pointed out, if improvements had been fairly suggested, it was better that the removal of those defects and the adoption of those improvements should be accomplished by the Government rather than that the task should be left in the hands of a private Member. Her Majesty's Government could be exposed to no suspicion of being actuated by private or personal motives. He earnestly asked the Government to give a favourable consideration to his proposal. True it was that, if they refused they would have nothing to dread from the Petitioners. They would not load the Table of the House with constant Petitions. They would not seek to obtain by agitation that redress which they now respectfully, but earnestly, asked at the hands of this House. But they would go back to their work—all-important as that work was—dispirited, sick at heart, and grieving, because the House would have decided that they alone, of all Englishmen, should remain the slaves of irresponsible authority. They would grieve for their own condition, because that would be hard enough, but they would grieve still more for the effect which that decision would have upon the Schools in which they took so deep an interest. They knew that discipline must be maintained, but they knew equally well that irresponsible authority was not necessary for the promotion of discipline. Head Masters were not all first-rate men, and the existence of independence of thought and of intellectual vigour among the general body of masters was invaluable, and often made a School flourish in spite of a second-rate Head Master. But such an Head Master was only too apt to view with alarm and suspicion the existence of talent which he had not the capacity to understand and utilize, and this system directly tempted him to rule down everything to the dull, dead-level of his own mediocrity. By this means he might, indeed, preserve discipline; but it would be at the expense of almost everything that was good and valuable to the life and progress of the School. He made his appeal to the Government. He pressed them for no early decision—he asked for no hurried legislation. He merely laid before them the Petition of the great majority of assistant masters at our Public Schools, endorsed as it was by the opinions of the majority of the Head Masters of the same Schools, and fortified by the recent action of the Endowed Schools Commissioners in the case of the Masters of Endowed Schools. He asked that the subject-matter of the Petition might be referred to a Select Committee, in the sincere belief that the outcome of such a Committee would be a recommendation which, while it settled once for all a question which ought not to be left unsettled, would tend in no small degree to promote the welfare, the good government, and the efficiency of our Public Schools. He begged to move the Resolution on the subject of which he had given Notice.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "a Select Committee be appointed to consider whether any alteration is desirable in the existing relations between the Governing Bodies, Head Masters, and Assistant Masters of the seven schools under the operation of 'The Public Schools Act, 1868,"—(*Mr. Knatchbull-Hugessen,*)

—instead thereof.

MR. SPENCER WALPOLE said, his right hon. Friend opposite (Mr. Knatchbull-Hugessen) had addressed the House at considerable length, and in doing so had dealt out very severe animadversions upon the proceedings of the Governing Body of Eton—calling them, among other things, a Star Chamber—on the question under dispute. He deeply regretted that his right hon. Friend should have had recourse to such language as that, particularly in a case which involved questions partly of private and personal interest, and partly of public concern. Now, in dealing with questions of this kind, private and personal interests were not well introduced to the consideration of that House, except so far as they might tend to explain and illustrate the public matter which was brought under its notice, and he, for one, would forbear from entering into them. His right hon. Friend would have done well to have recollected that there was danger, to say the least of it, that any one who in dealing with a public matter imported into the discussion private feeling and personal predilections would not be likely to bring to the consideration of the question that calm judgment which it demanded. His right hon. Friend, in opening the case, seemed to think that the Public Schools Act of 1868 had for the first time introduced into this country an absolute power and authority totally unknown to us at any period of the history of this country; but did his right hon. Friend mean to say that he had so partially and imperfectly read the Report of the Commission which brought under the notice of Parliament all matters concerning these Schools, as not to observe there was no point so strongly insisted on by the evidence and the Commissioners as that, with regard to the position of the Head Masters in Public Schools, these should always be given—and that Parliament should be required to give to them —absolute power in every matter connected with the discipline and management of those Schools? If his right hon. Friend would refer to the recommendations of the Commissioners with regard to Eton, Rugby, and St. Paul's, he would find that in all those cases the Commissioners stated their unanimous conviction that the Head Master ought to have the supreme authority; that in exercising it he ought to have complete power in the selection of the assistant masters, and that these powers should rest exclusively with him. His right hon. Friend did not really do justice to the case he had in view, when he thought he was advocating the reasonable feelings entertained by the assistant masters, and far different was the opinion of those gentlemen themselves. But it was not only in the Commissioners' Report that that absolute authority of the Head Master was recommended strongly as the chief means by which the teaching and discipline of the School should be maintained. The Bill, when discussed in the other House of Parliament, was referred to a Select Committee, and was brought here again on the Report. He had charge of the Bill. He recommended that it be referred to a Select Committee, and on that Committee there were many hon. Gentlemen who took great interest in this matter; but in all the Amendments they made they strongly insisted that this absolute power of the Head Master should not be interfered with. In one of the discussions which occurred on going into Committee on the Bill on the 16th of June, 1868, his right hon. Friend the Member for the University of London (Mr. Lowe), one of the most competent men in that House to give an opinion on the question, confirmed in the amplest manner the opinion so given by the Commissioners. He said—

> "What, then, was their duty in this matter? It was to leave the greatest possible scope to those who managed the school—to the Head Master, in fact, to manage it as he pleased; and all they could do was to give parents the best means of knowing the manner in which their children were educated, leaving them to find out whether it was satisfactory or not. He should say form a Governing Body if they pleased—that was, a body to appoint a Master and remove him in case of misconduct or for the interest of the school; but when they had appointed him give him full power and control over it."—[3 *Hansard*, cxcii. 1643.]

These observations clearly showed that on the general point the Master of the School should have absolute power, and that this was recognized and sanctioned by the authority of Parliament. Nobody could dispute that was the view of Parliament at the time the Act was passed. What had happened since to induce any change of opinion? His right hon. Friend said two cases had occurred—that of Rugby and that of Eton. He (Mr. Walpole) ventured to say these two cases, looking to the points on which they turned, were strong illustrations of the necessity of giving this power to the Head Master. The Rugby case, so far as he could gather it from the statement of his right hon. Friend was of this kind—there had been a great difference, not to say conflict, between the Head Master and some of the assistant masters; it had been going on for some time, and the Head Master felt he could not conduct the School as he thought it should be conducted so long as that conflict of opinion between some of his assistant masters and himself continued. That was the ground on which he dismissed an assistant master; and if there had been an appeal to the Governing Body on such a point as that, they could not have decided it, because the Head Master told them he had lost all confidence in the assistant master, and therefore it was impossible for them to go on together. In the case of Eton, his right hon.

Friend said Mr. Browning was dismissed, and he never knew on what charge. He was entirely mistaken. That charge did not rest on one single act which might have been the subject of appeal, but a course of action between the Head Master and the assistant master, by which the School suffered. The charge was stated in the letter of dismissal from the Head Master as follows:—

> "I must remind you that in your case particular attention had been called to your violation of the rules last winter; that you had in consequence received a reprimand, and very definite instructions in writing as to your future course. I believe that your colleagues will be found to have kept within the regulations; but if there has been any violation of them (and I shall at once proceed to investigate this), it cannot in any way justify what you have done. For two or three years hardly a school term has passed in which I have not been compelled to undertake the very painful task of calling you to account for neglect of work or violation of rules. I feel that I have carried forbearance in your case beyond the limit which I ought to have observed in strict duty to the school. I have done so because of the extreme gravity of dismissing a master from Eton, especially one of your age and standing, and because I tried to indulge the hope that your conduct might yet be such as to make this extreme measure unnecessary. I feel, however, that after recent events, and after our conversation of yesterday, it is not possible for me to feel that confidence in you which is absolutely necessary to our working together, and to my entrusting you with the important duties which belong to an Eton master."

He thought that after that it could hardly be said that Mr. Browning was not aware of the charge that was brought against him. It was a charge which plainly could not be determined by any Court of Appeal, because it turned on the question which such a Court could not decide — whether a Head Master could go on conducting his School when he had lost confidence in his assistants. His right hon. Friend said the Governing Body sat, in a secret chamber; that they never listened to the representations made to them; and that Mr. Browning had been wrongfully dismissed by the Head Master. But when they came to the question—Could the Governing Body interfere in such a case? he said they had no such power. Further, the Governing Body themselves decided that no appeal could be brought before them. So the cases of Rugby and Eton stood. But his right hon. Friend had dealt with private matters which he (Mr. Walpole) thought ought not to have been so prominently brought before the House, as they had really no proper means of judging of them. One point, however, he thought well worthy of consideration, and that was the way in which the assistant masters represented their case. It was said that since the Act had passed, and since the two cases referred to had occurred, they felt themselves to be in a position different from that in which they formerly stood; that they had a sense of insecurity and a feeling of uneasiness in their present position. But although the assistant masters did very temperately and properly address their Petition to the House, did they arrive at the conclusion that the power of the Head Master was an absolute power which ought to be taken away? Far from it. They said in their Petition that the authority of the Head Master was necessary for the maintenance of discipline in the several Schools, although they thought that that authority would be in no way impaired by the concession to them of such security as a body of educated gentlemen might reasonably claim. He would ask what was that security to be? On that the House was left entirely in the dark. His right hon. Friend said there should be a right of appeal; but no appeal could lie from an assistant master who had been acting out of harmony with the feelings of the Head Master in regard to what he was directed to do—no appeal to any Governing Body could decide whether the Head Master in such a case was right or not in getting rid of the assistant master. Then his right hon. Friend said — "Refer this matter to a Select Committee." For what purpose were they to refer it to a Committee? Were the Committee to rake up and go into all those charges and counter-charges as his right hon. Friend had done? He hoped the House would not consent to that. If his right hon. Friend had any plan in his own mind, he should put it into the shape of a Bill, and let it be discussed; but he warmly objected to a Select Committee. Were the Committee to try, as his right hon. Friend seemed to intimate, to find from one source or another how some kind of security, which could not possibly be explained, was to be given to the assistant masters? If that was his right hon. Friend's object, he (Mr. Walpole) said that the House never did grant a Select Committee for such a purpose. It required, in the first place, that grounds should be shown for appointing such a Committee; and, secondly, that their was a reasonable prospect of a practical result being attained. Neither of these things had been made out. The strong recommendations of the Commissioners were in favour of the absolute authority given to the Head Master remaining in his hands for the best interests of the School; and to raise a sort of mutiny on the part of the assistant masters, encouraging bickerings and strife between them and the Head Master, was the very worst thing that could be done for the permanent welfare of those institutions. He therefore hoped that the House would negative the Motion of his right hon. Friend and leave that matter where it was, on the lines upon which, for good reasons, Parliament had settled it, giving the Head Master the power of selecting and dismissing the assistant masters, and not allowing the Governing Body any power of interfering in the management, discipline, and teaching of the School which ought to be entrusted to the Head Master and to him alone.

Sir ROBERT ANSTRUTHER said, he entirely agreed in the introductory remark of his right hon. Friend who brought forward that question—namely, that he incurred a grave responsibility in re-opening the question of our Public Schools after Parliament had so recently legislated upon it; but he regretted that that sense of responsibility seemed to have vanished from his right hon. Friend's mind the moment after he had expressed it. He would appeal to those hon. Members of the House who had been educated at Public Schools whether, when they were at school, they looked upon the assistant masters as "miserable slaves," as gentlemen living in the "degraded thraldom" that was pointed out by his right hon. Friend. He recollected many of his present friends who were assistant masters at Harrow, and he was bound to say that his right hon. Friend had painted them to the House in a light in which they had never presented themselves to him at the time he had the honour of being instructed by them. He admitted that his right hon. Friend had a very fair case; but he was bound to say that what chance he had of securing this Select Committee from the Home Secretary had been entirely dissipated by the manner in which he had handled the case. He protested against his right hon. Friend getting up in that House, and talking of the vindictiveness of Head Masters, and his description of the position of the assistant masters of Public Schools as one of degrading thraldom and of slavery under an irresponsible authority. As he had said, his right hon. Friend, starting at the outset with a good case, had so entirely overdone it, that if the Home Secretary did not refuse to grant a Select Committee it would not be his fault. The first point to which the proposed Select Committee was to address itself was the relations between the Governing Body and the Head Master. He could not conceive a more mischievous proceeding than that they should now have a Select Committee to re-open the question of the relations between the Governing Bodies of those schools and the Head Masters. He believed that the best relations that could subsist between a Governing Body and a Head Master was, that they should select the best man they could get to put at the head of the School, and then leave him alone, and not perplex and harass him with interference in affairs which he was far more able to conduct than they were. His right hon. Friend next dealt with the relations between the Head Master and the assistant masters, and he certainly made out some sort of an argument for a change in those relations; yet he admitted that under the present system they obtained for the position of assistant masters men of the very highest standing, and who were deserving of the greatest confidence. But upon what facts did he base that great and amazing change which he desired to see? He referred to the case of Eton, in which he had taken a very prominent part; and considering the part he had taken with regard to those unfortunate proceedings, it would have been a great deal better if this Motion had been placed in other hands. He (Sir Robert Anstruther) deeply regretted the part which his right hon. Friend took in that matter; it was not for the well-being of Eton, and it would have been far better if he had maintained the opinion which he said he had at first held, and had left the Head Master of Eton to arrange affairs with the assistant masters without his intervention. The assistant masters of Harrow had, he said, signed this Petition. The were in a more favourable position than the assistant masters and others of these great Public Schools. They, of course, held office at the pleasure of the Head Master, but the Governing Body had passed this statute—

> "That all the assistant masters shall be appointed and hold their office at the pleasure of the Head Master, but in case the Head Master shall dismiss an assistant master he shall forthwith notify in writing the fact and the reason of it to the Governing Body, and it shall be the duty of the Governing Body to consider, though not in the way of appeal, any statement which shall have been presented to them by an assistant master who shall have been dismissed."

That placed a very remarkable and, in his opinion, a perfectly sufficient, check on the Head Master, supposing him to be such a Head Master as his right hon. Friend had described—that was to say, one full of vindictiveness, an irresponsible tyrant, &c. [Mr. KNATCHBULL-HUGESSEN: I never used the word tyrant.] The whole tenour of his right hon. Friend's observations went to show that the Head Masters of the seven great Schools of England were tyrants to their assistant masters. He (Sir Robert Anstruther) had received a letter from the Head Master of Harrow, who was favourable to such an appeal as his right hon. Friend advocated, but Dr. Butler was able to say this—

> "I am happy to say we have never had a case here of the dismissal of any master, or the contemplated dismissal. But I see plainly enough that the old state of the law cannot possibly stand."

He submitted that although his right hon. Friend had, to a certain extent, a case when he commenced his speech, that case was practically destroyed before he sat down; and considering the magnitude of the interests involved, and how very undesirable it was that the House should constantly be tinkering at these great Public Schools, he trusted the Motion for a Committee would be negatived.

MR. ASSHETON CROSS said, he deeply regretted not only what had taken place at the several Schools that had been named, but also the course of the discussions which took place with regard to Eton and Rugby. The course which was taken, the examples that were set, the discussions that ensued, and the way in which everything was made public, did not tend to do good to the schools, improve the discipline of the boys, or to encourage the persons who sent their children to those Schools. He was in hopes that all those matters might have been considered closed. He was in hopes, to quote the words of an able writer on the subject—

> "That, for the future, nothing would be heard in public of the Public Schools, but that they would set diligently to work to teach the boys, not only by the simple process of teaching, but by setting an example of that discipline which is so necessary."

He, therefore, regretted very much that the subject had been re-opened that night in the way in which it had been, and he was bound to say that the remarks made by his right hon. Friend behind him (Mr. Spencer Walpole) showed in his (Mr. Cross's) opinion, quite clearly that the mind of his right hon. Friend opposite had been warped in this matter by the interest he had taken in one of the recent cases which had, unfortunately, happened. Whatever his right hon. Friend opposite might say to the contrary, he (Mr. Cross) thought that one of the most important matters in relation to Public Schools was that discipline should be kept up, and that end could not be obtained in a Public School, as they desired, except in one way. The best man that could be found ought to be appointed Head Master of a public school, and when he was appointed we ought to leave him alone and not meddle with him. If we found we were mistaken in the man, if he did that which he ought not to do, that would render him a fit person to be dismissed from his office, and we ought to dismiss him and appoint the best man we could find in his place. But whilst he was there, they ought not to interfere with him. He believed firmly that the only way of carrying on great Public Schools was to give to the Head Masters uncontrolled power in carrying them on. His right hon. Friend opposite had drawn a very strong picture of the Head Master. He had described him, if not as a tyrant, at all events as an irresponsible despot. He was not irresponsible; for, in the first place, he was responsible to the parents whose children were in the school. Next he was responsible to the voice of public opinion, and beyond that he was responsible to the Governing Body, because by the very same section by which he had the power to dismiss under masters, the Governing Body had an absolute power to dismiss him, if he acted without discretion in carrying out the powers which were entrusted to him. Whether in relation to the boys or the under masters, the Governing Body might step in and say he was no longer fit to be Head Master. The right hon. Gentleman had said that in the case of Endowed Schools relief had been granted to the assistant masters, but he thought the right hon. Gentleman had not followed that case to a consistent conclusion. This was the history of the transaction. The Endowed Schools Commissioners first began their work by directing that the Head Master should be appointed by the Governing Body without appeal, and then that the assistant masters should be appointed by the Head Masters and dismissed by him without appeal, but as time went on, and exception was made by the Commissioners early in their proceedings with reference to assistant masters who with the sanction of the Governing Body and the Head Master had laid out large sums of money in boarding-houses or other matters. That was the arrangement till 1873. What happened to the Endowed Schools then was exactly what happened in the case of Public Schools at the present moment. In 1873 the Commissioners were memorialized by a very large number of assistant masters of the chief Schools of the country, who urged on them the propriety of giving to all assistant masters the power of appealing to the Governing Body in case of dismissal. That matter was carefully considered by the Commissioners, who saw that the feeling was very strong among the assistant masters, while among the Head Masters there was a difference about the expediency of making the concession asked by the assistant masters, and ultimately the Commissioners in the scheme which they then made provided an absolute appeal to the Governing Body in all cases. But when the control of the Endowed Schools was transferred in 1875 to the Charity Commissioners it was found that this did not answer, and the Charity Commissioners took the appeal away, and reverted to the old practice, including the exception he had referred to. Having said that, he would now say a word as to the assistant masters. He did not believe there was a set of men in England who performed more arduous duties, or performed them better than they did. But he did not think they would agree that their real case had been put before them to-night by the right hon. Gentleman. A proof of that was to be found in the fact that there was no difficulty in getting the very best men of the country to act as assistant masters. He thought that part of his right hon. Friend's case had broken down. He believed that what was necessary for the carrying on of Public Schools was that there should be a thorough understanding and confidence between the Head Master and the assistant masters. He believed that did exist in most of the schools in England, and that was the reason why they had so flourished. His right hon. Friend asked for a Committee to inquire into the matter. This was not a question for a Committee. The simple result of a Committee would be that they would have all the details of those two cases which had unfortunately happened filling the pages of Blue Books scattered all over the country. He believed that that would have a most mischievous effect, and he, for one, would not take any step which would produce that result. He hoped, therefore, the House would refuse to grant a Select Committee. He hoped the assistant masters would not think that by not doing so the House had no feeling for them. He thought that in working honestly with the Head Masters they need have no fear of any injustice, because they had two safeguards against it—namely, the effect of public opinion and the absolute control of the Governing Body.

Colonel NORTH said, the conduct of the assistant masters of Rugby School had been such that it was impossible for the Head Masters to get on with them. He considered if the Resolution of the right hon. Gentleman the Member for Sandwich was carried, it would lead to the destruction of discipline in all our Public Schools.

Mr. NEWDEGATE said, that if a right of appeal were to be given to every under master, the Governing Body would probably be compelled to interfere with the administration of the school in a manner highly detrimental to its efficiency. Practically, there was always an appeal from the decision of the Head Masters dismissing under masters, to to the Governing Bodies of our Public Schools, inasmuch as the dismissal of an under master was an item in the conduct of the Head Master which the Governing Body could not fail to make the most searching inquiry into.

Mr. A. J. BALFOUR said, the idea of a Public School which prevailed on that side of the House seemed to be that it was an institution in which perfect discipline existed throughout, and they were ready to sacrifice to that end the whole individuality of the assistant masters. He supported the Motion, because he thought that the House should respect the rights of men who had spent 30 years of their life as under masters, and prevent them, after so long a period of service, being sent out into the world with their characters impaired, and without means, at the mere caprice of an individual.

Mr. DALRYMPLE opposed the Resolution. He said that the question before the House interested Public School men, and that that must be his excuse, if excuse were needed, for taking any part in the debate. The position in which Head Masters and Assistant Masters stood to one another required the utmost mutual confidence and forbearance, so that the discipline of a School might be maintained. He did not think a case had been made out for a Committee; but the discussion would be productive of good, for it was not desirable that the management of Public Schools should be matter of newspaper correspondence, and it was better that an appeal should be made to that House in a matter which arose out of the administration of an Act of Parliament. He (Mr. Dalrymple) was one of those who saw no reason for the change suggested by the right hon. Gentleman the Member for Sandwich. The power of dismissal had been in the hands of Head Masters before the Act of 1868 was passed, and the system had worked well, and for the benefit of the great Public Schools. It had been asserted that Assistant Masters through fear of dismissal would conceal their feelings, and that their spirit of independence would thus be injured. Practical men of the world would not be induced to believe that a large number of distinguished men—and Assistant Masters were among the most distinguished men drawn from our Universities—necessarily of very different characters and temperaments would under any system smother and bury their opinions for fear of any consequences. It was contrary to all experience of the past to maintain that such could be the case. The best thing that the Trustees of our great schools could do was to appoint the very best men as Head Masters. When a Governing Body had selected the best men they could find—a man remarkable for graceful scholarship, for knowledge of men, for administrative power, for blameless life, and placed him over a great Public School, they ought to lay upon him the chief and undivided responsibility, giving to him the power of appointing and dismissing his Assistant Masters, with only such security for their offices as mutual forbearance and consideration might be expected, and had often been found, to supply. It was for the interest of Assistant Masters themselves, and for the interest of the management and discipline of a school, that the responsibility should rest with the Head Master. The clause relating to Assistant Masters in the Act of 1868 had received the careful attention of Parliament, and he (Mr. Dalrymple) could not admit that a case had been made out for its alteration. The next clause to it related to Head Masters, and if a change were made in the position of Assistant Master, the case of Head Masters might claim attention also, since they held their office at the discretion of Governing Bodies, and a plea of insecurity of tenure might readily be established on their behalf also.

Mr. RODWELL said, he was disappointed at the turn of the discussion. The Resolution was temperate, and so was the Petition of the Assistant Masters; and it was a matter of regret that that which should have been discussed as a question of principle of great importance to assistant masters and the country at large should have drifted into a question of personal grievances connected with Eton, and should have been met in the spirit it had been by some hon. Members. The right hon. Gentleman the Member for Cambridge University, who found fault with the tone in which the question had been introduced, seemed to fall into the very error he had deprecated. No answer had been given to the case made out by the right hon. Gentleman the Member for Sandwich, and the assistant masters would have reason to complain that their complaints and representations had been ignored.

MR. KNATCHBULL - HUGESSEN expressed his willingness to withdraw his Motion. [" No, no ! "]

SIR EARDLEY WILMOT apologized at that late hour for standing in the way of the division, at which there appeared a great anxiety to arrive; but still he hoped the House would bear with him, while he made a few remarks, relative to the transactions at Rugby School, which had been commented upon by the right hon. Member for Sandwich and by other speakers who followed him, and he (Sir Eardley Wilmot) asked for the indulgence on the ground that he had himself been partly educated at Rugby, and, as a Warwickshire man, not only took deep interest in the School, but had many friends who had at various times taken part in its administration. He had listened with great attention to the able speech of the right hon. Member for Sandwich, in the hope of finding arguments in it, upon which might be based an alteration of the present statute, which gave the Head Master absolute power and control over the assistant masters; but the opinion he himself had always entertained of the sound policy of the Act in this particular, was even strengthened and confirmed by the statements made by the right hon. Member and by his narrative of the late proceedings at Eton. As the right hon. Member had cited the case of two assistant masters at Rugby, although his version of that transaction had been corrected already by the hon. and gallant Member for Oxfordshire (Colonel North), yet, perhaps, he might be excused if he referred more fully to the facts which led to that dismissal, as showing how important it was that the Head Master should be supported by the Governing Body in any attempt which he made in putting in force his power under the Act over his subordinates. As the hon. and gallant Member for Oxfordshire had already stated, 20 out of 21 assistant masters had openly rebelled against the authority of the Head Master, and being supported in their insubordination by the Governing Body, they ultimately prevailed. The facts were these—In 1869 Dr. Temple, the Head Master of Rugby School, resigned his office on becoming Bishop of Exeter, and the Trustees, who were at that time almost all Warwickshire men, after much and careful deliberation and examination of the testimonials presented to them, selected Dr. Hayman, at that time Head Master of Bradfield School, as his successor. He (Sir Eardley Wilmot) knew from the best authority that the Trustees considered the testimonials on two successive days, and that the conclusion they came to was unanimous. But no sooner had Dr. Hayman been selected as Dr. Temple's successor, than a marked and undisguised hostility appeared against him in more quarters than one. Twenty out of the 21 assistant masters memorialized the Trustees against the appointment they had made, and among other complaints was one, that the new Head Master had made an improper use of old testimonials. The Trustees met to consider this memorial, and came to the conclusion unanimously, that the use which had been made of previous testimonials, was in no way censurable. The relations between the Head Master and his assistants gradually improved during the period the old Trustees continued to hold office, and between December 1869 and December 1871, when the new Governing Body assumed the reins of power, the Head Master received the uniform support of the old Trustees, who used all their influence in endeavouring to reconcile the assistant masters to the authority of their chief. Unfortunately, some restless spirits would not be quiet, and it must be regretted that when the Head Master found this to be the case, he did not enforce, at all events against those who continued in a state of half-concealed insubordination and cabal, the power of dismissal which the Act of 1868 conferred upon him. When the new Governing Body took the management of the school in December, 1871, matters grew rapidly from bad to worse. Nothing could be more improper than that the Bishop of Exeter and Dr. Bradley, both of whom had taken an active part already against the Head Master, should allow themselves to be nominated as members of the new Governing Body—but so it was—one was elected by the University of London and the other by the University of Oxford. But no sooner had they taken their seats at the Board, than more than one of the assistant masters who had met with scant encouragement from the old Trustees, began their attacks again against the Head Master. Repeated inquiries took place as to the grounds of complaint alleged, and in October, 1873, the Governing Body called on the Head Master to retract certain charges which he had made against an assistant master, and to tender an apology to him. He (Sir Eardley Wilmot) would not stop to examine whether this was rightly done or not, he only mentioned the fact, in order to say that the Head Master, on two several occasions afterwards, in conformity with the decision of the Governing Body, expressed his regret to his assistant master in the most unqualified manner, and, having done this, he trusted that the School would now be permitted to enjoy peace and quiet, as these late unhappy misunderstandings had greatly interfered with its prosperity and success. Notwithstanding that all matters in difference seemed now at an end, yet in February, 1873, the Governing Body re-opened the old grounds of complaint, notwithstanding a strong remonstrance from the Earl of Warwick, one of the Governing Body, who greatly disapproved the course of irritation the Governing Body were pursuing. Unfortunately, Lord Warwick left England about this time on account of ill health, and the Head Master lost the support of that highly esteemed Nobleman on the Governing Body. Later in the year Dr. Hayman found it necessary to give notice of dismissal to two other assistant masters for some reasons connected with the working of the School, and this act led to a wider breach than ever between himself and the Governing Body. More inquiries took place, and ultimately the Head Master was dismissed by the Governing Body in December, 1873. He (Sir Eardley Wilmot) had purposely omitted many circumstances which would tend to show that the Head Master had not had justice done to him; but as the House was anxious to close the debate, he had been desirous of making his narrative as brief and compressed as possible. His object in making these remarks was to show that if a Head Master and his assistants were interfered with, as was the case at Rugby, no Head Master could ever hold his ground. If despotism was ever commendable or desirable, it was surely and absolutely so in the case of the Head Master of a Public School. Once let a Governing Body be the receptacle of the jealousies which must frequently exist between individuals under authority and those set over them, and the whole discipline and regular action and harmony of a Public School would and must receive a fatal shock. In the Rugby case a single man had to contend with a numerous and powerful body of inferiors, banded together for his degradation and disgrace, and when to this powerful combination was added the no less powerful influence of those on the Governing Body, who were at no pains to conceal their dislike of him, there was no wonder that he was worsted in a conflict so unequal and so hopeless as regarded an appeal in the case of the Head Master's dismissal. He was glad to hear so high minded a man as his hon. and gallant Friend the Member for Oxford rise, who had been himself a Rugby Trustee, and who had had practical experience of the working of the system, express himself favourably to such an appeal. But that was not the matter now before them. He (Sir Eardley Wilmot) could give no support to the Motion of the right hon. Member for Sandwich, as all the facts adduced that evening incontestibly proved to him that the Head Master's power over his assistants should not be in any way controlled or interfered with, and that the power given by the Public Schools Act of 1868 was salutary and sound in principle. He apologized for the length of his remarks, but felt constrained to make them, as he had always been strongly convinced, and he should never shrink from expressing that conviction and that opinion, that the late Head Master of Rugby had had great injustice done to him.

Question, "That the words proposed to be left out remain part of the Question," put, and *agreed to.*

WOOLWICH ARSENAL.

OBSERVATIONS.

Major BEAUMONT rose to call the attention of the House to the advantages that would arise from the construction of a Central Arsenal. In doing so, he hoped the gentlemen upstairs would convey his remarks to the public, who, he doubted not, took more interest in it than the House appeared to feel. Whatever might be the differences of opinion as to the question of the offensive forces of this country, there could be none so far as the defence was concerned. Had the Forms of the House allowed him to do so, he would have moved for a Committee to consider whether the cost of the removal of the Arsenal from Woolwich to a central position would not be covered by the diminished cost of the raw material and its manufacture. He thought he could show that the change he advocated would not only involve no cost to the country, but would be a positive gain. The present was an unfortified Arsenal in connection with an unfortified capital. It was, besides, situated upon a river, which, on strategical grounds, was not a proper position for an Arsenal. The objection to Woolwich was, however, mitigated by the fact that the fortifications were more or less completed at the mouth of the Thames and by the great increased power of defence afforded by the use of torpedoes. At the same time that was not an answer to the objection, and he doubted whether such conditions as obtained with regard to the relative positions of Woolwich and London were to be found abroad. If an enemy attacked the country, his endeavour would be to march upon the capital and to destroy the Arsenal, and in this case, as he had stated, the capital and the Arsenal were alike unfortified. He did not rest the suggestion he made on his own opinion merely; it was justified by the practice of foreign nations and by the views of the Royal Commission appointed in 1859 to consider the subject.

Notice taken that 40 Members were not present; House counted, and 40 Members being found present,

MAJOR BEAUMONT resumed—The Report of the Commissioners stated that the Arsenal ought to be placed in a secure locality, and further mentioned that a complete system of fortifications might be constructed around Woolwich at a cost of from £3,000,000 to £4,000,000. Such a system would, however, be in connection with the fortification of London, and he could not recommend the fortification of the metropolis, as the extent of the works would be so great and the cost so enormous. Therefore, it was practically impossible to fortify the Arsenal of Woolwich. Besides it was unnecessary, for there were many other sites that could be readily made available for the purpose. For instance, he had heard that arrangements had been made for the purchase of 1,500 acres at Strensall Common, near York. He might also refer to the circumstances that the Government had sent down qualified persons to Cannock Chase and to a place near Leeds for the purpose of seeing how far either place might be suited for the formation of a central Arsenal. The arguments against removal were—first, that the Arsenal was there; and, secondly, that there would be a difficulty and expense in removal; but he believed that he could show there would be no extra expense incurred by the proposal as he had before observed, neither would it be of such an amount as to prevent them having an Arsenal in a locality that would make it less liable to a successful attack from an enemy than Woolwich. He proposed to leave the store and gun departments there, and to shift the carriage department and the laboratory.

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MAJOR BEAUMONT resumed—The reason why the laboratory departments should be removed and placed together was the necessity for supplying ammunition rapidly to an Army in the field. It would be little less than a national disgrace and breakdown if there was a failure of supply in such a case. As to the argument of the hon. Member for Greenwich (Mr. Boord) last year, who proposed to put the work into the hands of private manufacturers, instead of doing it in the national establishments, the answer was that, under present circumstances, there was practically no other demand for these stores in the open market, except that from the national establishments; and in the case of a war, very little assistance could be obtained from the private contractors, and it would be difficult to transfer any portion of the Staff from Woolwich to Devonport or elsewhere in time to have any effect upon a campaign; while, at the same time, the workshops in these places were too small to bear a sudden strain upon their resources. He came now to the most important part of his case—the cost of removal as compared with the economy of removal. There were in the Arsenal at Woolwich some 40,000,000 cubic feet of building, the proportion of iron to brick being as 11½ to 29½. To shift half of the departments as he proposed would be, therefore, to shift 20,000,000 cubic feet of building. The average cost of this building would be 6*d*. per cubic foot, a sum which would well cover all charges, including the foundations. Thus, the cost of removal would be £500,000, as far as the buildings were concerned, while he estimated that £300,000 would provide for the purchase of land, and £200,000 for the cost of shifting machinery. The total charge would be £1,000,000, for which sum he was certain that the carriage and laboratory departments could be removed from Woolwich. Our fortifications were paid for by Terminable Annuities spread over 30 years, and, at the same rate, £56,000 a-year would be the charge required. If, therefore, he could show that the change would result in saving more than £56,000 a-year, his case was proved: First, there was the value of the land vacated at Woolwich, which would be considerable. He, however, thought it would be wise to shift to this vacant ground the clothing department at Pimlico and the Indian Store Inspection department, which had ground at Lambeth. If that were done the value of the two sites thus relinquished would be very large indeed. When he proposed that last year, he was told that it was important these establishments should be under the eye of the Government. But they all knew that they were conducted mainly by letter, and there would be no more difficulty in transacting the business by letters which had to be sent six miles than two. It was unwise for the Government to have establishments like those on such expensive sites, and, for all practical purposes of communication with the War Office, they might as well be at Woolwich. He estimated that by the change they would save £15,000 a-year in coal, £20,000 in iron, £10,000 in labour, and £15,000 in the manufacturing of stores. This made a total of £60,000; but he believed the actual saving would be far larger. If the proposal he suggested should be carried out, great economy might be effected. At the same time he did not rest this proposal merely on the ground of economy. What was of vast importance was, that if our first line of defence was forced, we should have a sufficient reserve elsewhere. The hon. Member for Greenwich, in addressing his constituents last year, in opposition to the erection of a new central Arsenal, said the Royal Commission who had recommended it were men who were afflicted with "Gallophobia." That was a view of the case which could not be justified when they looked at who were the eminent and experienced men who composed that Commission, and who were the least likely to be actuated by any fears from that quarter. He had shown, he thought, good reasons why, for important strategical reasons, it was highly desirable that the central Arsenal should be established, and also that, with greater efficiency in every department, we should have greater economy. He hoped to hear from the Treasury Bench some answers to both of these reasons. In conclusion, he thought he was entitled to ask what reasonable fault could be found with the estimates he had put forward? If, as he contended, there was none, as the strategical advantages would be in themselves very great, the House would act wisely in acceding to his Motion.

Mr. BOORD said, he could hardly help feeling that the discussion invited by the hon. and gallant Member for South Durham involved a waste of the time of the House—especially when he remembered the small encouragement a similar Motion had met with last year. On that occasion the hon. and gallant Gentleman was told, in very unmistakeable terms, that his own Party would not have been prepared even to grant him a Committee, much less to take his proposal into serious consideration, if they had been in office; and he was also informed, on the authority of the Secretary to the Royal Commission of 1860, that if that Commission could be re-appointed, it would now report differently; besides he had failed to show that the Committee he desired would be able to collect any information beyond what was already in the possession of the Government. If the hon. and gallant Gentleman had succeeded in proving anything, it was that his own calculations were utterly unreliable, for whilst last year his estimate of the saving to be effected by the change he advocated amounted to £90,000 per annum, he now made it £60,000; then he required 7,000 acres of land for his purpose—now he was content with 1,500—a difference which, no doubt in the exercise of a wise discretion, he had omitted to explain. However, he (Mr. Boord) was not going to quarrel with that; for, if his requirements continued to decrease at the same rate, there was some hope that he would not find it necessary to occupy the attention of the House next Session with the same proposition. The hon. and gallant Gentleman had stated the consumption of coal in the arsenal to be equivalent to £30,000 annually, and that he could save £15,000 of that outlay; but although he professed to estimate the saving, he did not appear able to give the number of tons consumed, which was a necessary element in the calculation.

Major BEAUMONT said, he had obtained the amount of £30,000 from the Estimates of the year, and that the number of tons was not given.

Mr. BOORD said, he was perfectly satisfied with the correctness of the quotation from the Estimates; but that did not alter his opinion that £15,000 was a very large amount to save out of £30,000, and he doubted if it could be satisfactorily explained. The Royal Commission of 1860 had three schemes before them for the protection of Woolwich by land; and the wide difference between them, both as to cost and character, sufficiently proved the divergence of opinion that prevailed amongst the Members, and tended to show that its appointment might be traced to the invasion panic then prevailing. But the most conclusive proof that nothing further was required in the direction of the Report of that Commission was to be found in the fact that absolutely nothing had been done since towards carrying its recommendations, with regard to a central arsenal, into effect; and even within six months of its issue General Sir de Lacy Evans had been counted out whilst calling attention to the subject—a misfortune that had twice very nearly befallen the hon. and gallant Gentleman that evening. Even if it were otherwise, the Report on which the hon. and gallant Gentleman relied did not appear to be so favourable to his views as he would have the House believe. It said that the arsenal must be near the sea, so as to be convenient for the shipment of stores and for other reasons—how did he propose to adapt his site in Yorkshire to these conditions? But the whole of his argument was based on an assumption to which he (Mr. Boord) objected entirely—that our first line of defence would be forced. The country was called upon annually to provide enormous sums of money for the Naval and Military Services, and no effort was spared to maintain those Services in an effective condition, yet we were to be called upon to increase our outlay almost indefinitely on the mere supposition that those Services would prove useless in an emergency. He was surprised that such an argument should be seriously brought forward in that House by an officer of the Army. The hon. and gallant Gentleman had made another statement that filled him with astonishment; he had said that private manufacturers were unable to supply arms of precision such as were required for the service of the Army. That was the first time he had ever heard it alleged that there was anything which private industry in this country could not accomplish, and he felt sure that if the hon. and gallant Gentleman took the trouble to inform himself he would arrive at a different conclusion. In case of necessity private firms would be found ready to place their services at the disposal of the Government, a fact which alone rendered the construction of subsidiary depôts and arsenals, to the extent contemplated by the Royal Commission, unnecessary. But what was needed in that direction was already in progress, for he believed the Government were putting the gunwharves at Plymouth and other places in such condition as to render their development a matter easy of accomplishment; therefore we were by no means in so desperate a condition as the speech of the hon. and gallant Gentleman would seem to indicate. The objections to his scheme were sufficiently weighty and numerous to counteract any theoretical advantage, which at first sight it might appear to offer. It would be found very inconvenient to separate the Carriage department, as proposed, from the Gun factory; the first cost would greatly exceed the estimate, already extravagant, which the hon. and gallant Gentleman had submitted; he had taken no account of the increased annual cost for maintenance, nor of the extra accumulation of stores, which must necessarily follow the multiplication of such establishments; and, lastly, he had entirely ignored the disadvantages attendant on the publication of the evidence, for the benefit of foreign nations, of a Committee whose chief object would be to discover the weak points in our system of national defence. For these reasons, he sincerely trusted that his noble Friend below him would adhere to the determination he had expressed last year in reference to this proposal.

Lord EUSTACE CECIL said, that this was not a new question. It was brought forward in 1860, when a Royal Commission was appointed, and the subject was then very fully discussed. He said last year that if the Commission assembled together again, it would not, in all probability, take the same view as at that period.

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Lord EUSTACE CECIL proceeded to say, that he made that observation, as he stated last year, on the authority of the distinguished officer, Sir William Jervois, who was Secretary to the Commission, so that it was not a haphazard view which he expressed. The hon. and gallant Member had divided his arguments into two heads—strategical and financial. It was on strategical grounds that the arsenal was kept in its present position. There was no doubt that if our first line of defence was forced; if an invading army did by any chance land in this country, and if our Army was unfortunately beaten in the field, the consequences would be very disastrous; but he did not believe they would be so disastrous to Woolwich as to London. His impression, and that of military authorities, was that the invading force would advance on the Metropolis, and having captured it, the capture of Woolwich would be a small matter. As to attacking Woolwich by water the defence of the Thames was, he might say, complete. There were now eight iron-clad forts in different parts of the Thames; and if anything more in the way of defence was necessary, it could be supplied by the admirable system of torpedoes which they had now, he hoped, brought almost to perfection. As far as approach by water was concerned, Woolwich was, in the minds of military authorities, impregnable. It was of far greater importance that the arsenal should be within easy access of the officials than that it should be centralized in a given situation. Again, Woolwich was admirably situated as an arsenal if it were a question of embarking troops in the case of an invasion of any country abroad. Turning to the financial aspect of the matter, he might state that the figures upon which the hon. and gallant Member had based his arguments were fallacious, more especially with regard to iron. Then, in regard to coal, the average price of coal at Newcastle in 1874-5 was 17*s.* per ton, while the price for which it was delivered at Woolwich Arsenal was from 22*s.* to 22*s.* 6*d.*, showing a difference of 5*s.* or 5*s.* 6*d.* per ton, instead of 10*s.*, as stated by the hon. and gallant Member. In 1875-6 the average price at Newcastle was 14*s.*, while coal was delivered at Woolwich for 20*s.* The hon. and gallant Gentleman next told them £20,000 would be saved in metal; but he (Lord Eustace Cecil) was informed that metal was quite as cheap at Woolwich as it would be in the centre or even in the North of England. Then, with respect to labour, the ordinary rates of skilled labour were slightly higher—perhaps 5 per cent higher—at Woolwich than in the North; but unskilled labour was fully 10 per cent lower at Woolwich. Piecework was a time and-a-half, and double time; whereas, at the arsenal, it was a time and a-quarter as a rule, and a time and a-half was the exception. Therefore, the great economies which the hon. and gallant Member expected from the adoption of his recommendations would probably fall to the ground. Moreover, the hon. and gallant Gentleman either proved too much or too little in regard to the removal of those departments. If it was necessary to retain the Gun factory where it was, the same argument would apply, more or less, to the laboratory and the carriage factory. As to the concentration of stores at Woolwich Arsenal, no doubt it would be unwise to place all our eggs, so to speak, in one basket; but we had at least 30 different stations spread over the United Kingdom where we had stores of one sort or another. We had two small manufactories at Plymouth and Devonport which could be made use of at any moment, and which would no doubt in time be very serviceable. Besides that, we had under the local organization some 66 brigades scattered all over the country, where it were proposed, more or less, to have stores of some kind. When, therefore, the hon. and gallant Gentleman supposed we had such a great concentration of stores at Woolwich that if Woolwich was taken we should have nothing to fall back upon, he was under a misapprehension. Moreover, we should also have the private manufacturers to fall back upon. The hon. and gallant Member had spoken slightingly of the private manufactures; but at Birmingham it was perfectly possible to have rifles and ammunition made. The Messrs. Armstrong also could manufacture very good guns and various laboratory stores, while the great ingenuity of Sir Joseph Whitworth in those matters was equally well known. There was not the least doubt that if anything like a stimulus were given to the private manufacture of guns and warlike stores, we could have them in any quantity. It certainly would not be in our present state a matter of wise economy to do away with an old-established manufactory and arsenal like Woolwich. It turned out good work, and it did so economically. Before we abolished it we must be quite sure of a better place for placing an arsenal in. The hon. and gallant Gentleman had spoken of Cannock Chase and other sites for an arsenal, but they were all considered in 1860, and the recommendations then made were not carried out for a good economical reason. The Government, however, had given this subject their best consideration. At this moment they had bought 1,500 acres near York, and they were proceeding to erect an arsenal there, not for manufacturing purposes, but for a collection of all warlike stores in case of necessity. He thought a central depôt of that kind in the North of England would give us all the extra warlike stores we were likely to require in case of an emergency or an invasion. And he thought it was not necessary—and in that he was backed up by all the military authorities who had considered the matter—to have a manufactory in addition to that which we had at Woolwich. If a Committee were granted, it could not furnish any more information than we had already on this subject. A Committee would probably put on the Table of the House an extra Blue Book, which he supposed would not serve any other purpose than that of giving us a mass of printed matter which might be extremely serviceable to the hon. and gallant Gentleman when he next brought forward a Motion.

Captain NOLAN said, he thought the project of separating the different departments of Woolwich Arsenal and transferring two of them northwards was particularly unfortunate. It would be dangerous to remove the laboratory and carriage departments from the vicinity of the Metropolis, where the services of the best workmen could always be readily procured. He did not think, however, that the House ought altogether to disregard the remarks of the hon. and gallant Member who brought forward this subject, for if Woolwich Arsenal should by any chance be destroyed, we ought to be prepared for the emergency. We had the Elswick factory, the establishment of Sir Joseph Whitworth, and other arsenals in the North of England; but these were deficient in some departments, and, in his opinion, what we ought to do was in some way to inspect these arsenals and to supply what was wanting in them. With regard to his main principle of transferring Woolwich Arsenal to the North of England, he thought the hon. and gallant Member was totally wrong.

CRIMINAL LAW—THE METROPOLITAN POLICE—CASE OF MR. PALMER.

QUESTION. OBSERVATIONS.

Sir WILLIAM FRASER, in rising to move an Address for Copy of the Depositions taken in the case of a violent assault on a person of the name of Palmer, and to ask the Secretary of State for the Home Department, Whether, in consideration of the peculiar circumstances of the case he will, in the interests of the public and the police, by the offer of a reward or by other means, endeavour to bring the real criminal to justice? said, that Mr. Palmer, who, he believed, was a clerk in a mercantile establishment, received a violent blow in the face from the truncheon of a policeman while he was attempting to pass through a crowded street to his place of business on the day on which Her Majesty went to open a new wing at the London Hospital. Mr. Palmer was puzzled when he attended for the purpose of identifying the policeman who struck him, because the coats of the policemen had been changed. At length, however, he pointed out the policeman who he said had struck him, but Sir William Rose, who heard the case, thought the evidence was not sufficient to justify a committal. Now that the police wore beards, a constable by a slight turn of his head could easily conceal some portion of his number from being seen. This case was one of general importance; and it was most desirable that it should be known whether any further steps would be taken to bring the party to justice, and it was also most desirable that it should be known by whose orders the police had changed coats when they were paraded for identification. An investigation of all the circumstances ought to take place; and if Her Majesty's Government thought there was a *primâ facie* case against any of the policemen they ought to institute a prosecution. It was only fair to all parties that he should read to the House certain letters on this subject which had reached him that morning. The first was from the solicitors who had represented Mr. Palmer at the hearing of the case at the Guildhall, when the charge against the constable was dismissed, and it enclosed a copy of a letter which they had written to Colonel Henderson and his reply. In that letter the solicitors stated that since the case was disposed of by the magistrates, they had learnt from Colonel Henderson that a number of constables had witnessed the assault, and had furnished reports concerning it to their officers, which fact had not been communicated to the solicitors at the time the case was before the magistrate. The solicitors further complained that no constables had been called on the part of the police at the hearing to speak to the identity of the defendant as the person who struck the blow, and that their client, who had no personal feeling in the matter, and who had brought forward the case at great personal inconvenience and expense, had been grossly insulted by the magistrate, and, instead of having been protected in every way, was bullied as though he was a witness giving false evidence; and they concluded by stating that they had felt it to be their duty to advise their client to prefer an indictment at the Central Criminal Court against the defendant. In their letter to Colonel Henderson the solicitors stated that, in view of their client preferring an indictment against Police Constable 450 E, they would be glad to receive copies of statements which had been made to their superior officers in relation to this case by the constables on duty near the place where the alleged assault occurred; and asked, whether it was true that the constable against whom the charge was made was formerly in the City police, and was sentenced to a month's imprisonment for a similar assault, and was discharged or retired from the City police and afterwards entered the Metropolitan police; and whether it was true that, notwithstanding his conviction, he was allowed his full pay during the time he was so suffering imprisonment; also, whether it was true, that constables who could give information on the subject had been told by their superior officers to hold their tongues. Colonel Henderson, in his reply, said that as to the evidence which had been taken, he thought that the most satisfactory course would be for one of their firm to make an appointment to call at Scotland Yard and see copies of the statements made by all the officers on duty at the time when the assault was committed, and take copies of any that were thought desirable; because there were upwards of 30 of them, and he could not say which might be considered important; that no orders had been issued from head-quarters to the constables to hold their tongues about the matter; that he was aware that 450 E had been formerly in the City police, and that since the hearing before the magistrate it had been ascertained that he had been imprisoned for an assault, as stated in the solicitors' letter, but that he had not been discharged from the City police, in consequence of having voluntarily retired, and that he had since served in the Dorset Constabulary for a year and a-half to the satisfaction of the authorities. He was not aware whether his pay was continued during his imprisonment. Having stated these facts as briefly and as fairly as he could, he would say that it was his intention to move on some future occasion for the report of the circumstances which had been sent in by the constable to his superior officer. He trusted that the right hon. Gentleman would give a satisfactory reply to his inquiries.

Mr. ASSHETON CROSS said, he had no cause to complain of the hon. and gallant Baronet bringing this matter under the notice of the House. No doubt the police rendered great service to the public, and on the whole performed their duties, which were arduous, difficult, and occasionally dangerous, most satisfactorily; but, at the same time, it was to the interest of the police themselves, as it was the wish of the gallant gentleman who had command of the force, that every cause of complaint against them should be thoroughly investigated, and the offenders, if such they were, punished. When a case of misconduct was made out against any single policeman it was quite right that he should be punished, as an example to others. He was sure that no one felt more than the hon. and gallant Baronet did that on certain occasions it was scarcely possible to find out the exact truth; and it was very difficult indeed for police constables, in the hurry and rush of a great crowd such as assembled at the time of the Queen's visit to the East End of London, to be precisely on their guard. All he could say was that in this instance the police-constable had been placed upon his trial and had been discharged by the sitting magistrate at the Guildhall after all the evidence it was in the power of the prosecutor to adduce had been laid before the Court. The hon. and gallant Baronet asked for copies of the depositions which were taken in the case of this alleged assault. All he could say was that they were entirely at his service, if he chose to move for them. The hon. and gallant Baronet asked further for a copy of the statement made by the policeman implicated to his superior officers; but as the hon. and gallant Baronet stated that it was possible that further proceedings might be taken against the constable, it would be unfair to him that a confidential statement made by him to his superior officers should be laid before the jury who were to try him on such a charge as this. Colonel Henderson had with perfect truth said that there was only one wish on the part of the police authorities in the matter, and that was, that justice should be done to all parties. He did not think that a fairer offer could be made to the hon. and gallant Baronet than that he should be allowed to see the reports made by all the police constables on duty at the particular place at the time of the alleged assault; but those reports could not be laid on the Table of the House without striking a great blow at the efficiency of the police force, by preventing such confidential reports from being made in future. He had made such inquiries into the matter as he could, and he felt bound to express his regret that the case had not been fully heard out by the magistrate, so that all parties might have had a full opportunity of making their statements to the Court. He believed it was a fact that before any evidence was tendered on the part of the policemen the magistrates dismissed the case. He regretted that very much, as there would have been an opportunity for any one of the constables to have been summoned, and the whole of the facts would have been investigated before the magistrates. Their opinion was that no case had been made out. In his opinion, the circumstances of the alleged assault had been greatly exaggerated; but, however that might be, if any further investigation was to take place, the hon. and gallant Baronet might feel assured that he would afford him every assistance in his power to enable him to elucidate the whole circumstances attending this case, while he might be satisfied that the police authorities had no desire to conceal any fact connected with it.

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—CIVIL SERVICE ESTIMATES.

Supply—*considered* in Committee.

(In the Committee.)

Class V.—Colonial, Consular, and other Foreign Services.

Motion made, and Question proposed,

"That a sum, not exceeding £218,663, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1877, for the Expenses of Her Majesty's Embassies and Missions Abroad."

Mr. MONK inquired whether it would not be better to take something on account, in order that another opportunity might be afforded of discussing the Vote in detail?

Mr. W. H. SMITH said, there had been an understanding that the Navy Estimates were to be proceeded with that evening, but it was considered desirable to go on with the Civil Service Estimates. He did not, however, wish the Committee to take any Votes that they might not be prepared to take.

Mr. RYLANDS asked the Government not to press the Vote until further accounts of the details in a tabular form were furnished as formerly.

Mr. BOURKE replied that no such details had been furnished—certainly, in the last three years.

Mr. RYLANDS said, he would not object to a Vote on Account, but must oppose the Vote in bulk.

Mr. MACDONALD asked for some explanation of the heavy charge for boundary surveys, as America and other countries did not expend half that sum for such purposes.

Mr. M'LAREN supported the suggestion of the hon. Member for Gloucester (Mr. Monk), that a Vote should be taken on account only, leaving the discussion on these items till another day.

In reply to Lord Frederick Cavendish,

Mr. BOURKE said, that it was intended to change the Mission at Rome into an Embassy, in which case an increased salary would, no doubt, be necessary for the holder of that office. Other changes would produce a like result. It was hoped that the whole of this kind of work would be accomplished satisfactorily, and without unnecessary expense. He would also inform the hon. Member for Stafford (Mr. Macdonald) that the Votes with reference to boundary surveys had resulted from the recommendations of the Boundary Commission, and he had reason to believe that that would be the last demand on the public purse for that purpose.

Sir H. DRUMMOND WOLFF moved to reduce the Vote by the sum of £11,400 for Second Secretaries and £3,100 for Third Secretaries, making in all £14,500.

Motion made, and Question proposed,

"That a sum, not exceeding £204,163, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1877, for the Expenses of Her Majesty's Embassies and Missions Abroad."—(*Sir Henry Drummond Wolff.*)

Mr. SAMPSON LLOYD drew attention to a sum of £950 for the Charge d'Affaires at the small German town of Coburg.

Mr. DODDS said, he was dissatisfied that more satisfactory details were not given of the way in which the money comprised in the Vote was spent.

Mr. W. H. SMITH promised to give full information with regard to the details of the Vote as soon as possible.

Mr. MONK said, he was not satisfied. The House of Commons should be furnished with accurate information, and he submitted that the Vote should be withdrawn until satisfactory information was given.

Sir JOSEPH M'KENNA agreed in that opinion.

Mr. WHITWELL said, he would move to report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Whitwell.*)

Mr. BOURKE explained that the Estimate was as full as the information at his command enabled him to make it, and that it was perfectly true; but if it was required he would in future go as far as possible into details.

Mr. RYLANDS said, that the Estimates for 1869 were in his hands, and he found all the particulars connected with the Vote fully set forth.

Mr. W. H. SMITH said, that many of these items could only be estimated on the expenditure of the previous year.

Sir WILLIAM HARCOURT hoped, as the Government had brought forward the Estimates so early, that they would be able to allow the Committee a further opportunity of considering them.

Motion, by leave, *withdrawn.*

Question again proposed,

"That a sum, not exceeding £204,163, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1877, for the Expenses of Her Majesty's Embassies and Missions Abroad."

THE CHANCELLOR OF THE EXCHEQUER said, the details asked for by some hon. Gentlemen had been promised as Returns which would be presented to the House. It would be a pity, after going on so long with the discussion, not to come to a decision that night. If it was understood, as he was now informed it was, that no opposed business Votes would be taken, the Vote would not be pressed. They would require, however, to take Votes on Account.

Motion, by leave, *withdrawn.*

Original Motion, by leave, *withdrawn.*

£1,254,650, on account, for Civil Services 1876-77.

[Then the Services are severally set forth.]

House *resumed.*

Resolution to be reported upon *Monday* next;

Committee to sit again upon *Monday* next.

POOR LAW AMENDMENT BILL.

(*Mr. Sclater-Booth, Mr. Salt.*)

[BILL 78.] COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Mr. Sclater-Booth.*)

MR. M'CARTHY DOWNING said, he wished to refer to a promise made on a former occasion by the right hon. Gentleman to remedy the hardships to which Irish paupers were subjected in their removal from Scotland into Ireland, and to complain that that promise had not been fulfilled. In consequence, the Bill would not operate beneficially with respect to Ireland, and it was exceedingly obnoxious to his constituents in Cork County. He complained of the action of the Scotch authorities with regard to Irish paupers, as compared with the treatment of Scotch paupers in Ireland.

MR. SCLATER-BOOTH said, he thought, notwithstanding what the hon. Member had said, that the Bill would work beneficially for Scotland and Ireland, and hoped they would go into Committee and pass the first 10 or 12 clauses, and discuss the remainder at their leisure. Although his Bill had really nothing to do with the Law of Settlement, he had gone out of his way to insert clauses which, as it was, he should have the greatest difficulty in carrying.

MR. M'LAREN complained of the reflection made by the hon. Member for Cork County as to the burden imposed upon Ireland by Scotch paupers. Why, according to a recent Parliamentary Return—No. 390 of last Session—there were 487 lunatics born in Ireland annually maintained in Scotland, while there were only 14 Scotch lunatics supported in Ireland. The paupers born in Ireland and maintained in Scotland in 1874 were in the poor-house 1,839, and those receiving out-door relief 5,836. Independently of these, there were other 5,835 dependents of such paupers receiving out-door relief. So that, while there were only 100 Scotch-born paupers maintained in Ireland and 14 lunatics, there were 11,671 Irish-born paupers, and 487 lunatics, maintained in Scotland. He complained that the Irish landlords, instead of maintaining their own paupers in their workhouses, and by out-door relief, threw the burden on England and Scotland to a large extent.

MR. MACDONALD trusted the House would allow the Bill to go into Committee.

MR. BRUEN denied the justice of the observations of the hon. Member for Edinburgh (Mr. M'Laren). He forgot that the unfortunate persons to whom he referred had laboured in Scotland for 20 or 30 years before they were overtaken by the visitation of Providence. Could it be said that there was any hardship in Scotland being bound to maintain those persons after having profited by their labour? What the Irish Members complained of was, that poor persons born in Ireland, after having spent nearly all their lives in Scotland and England, when overtaken by poverty were sent back to be maintained by the rates of a country to which they had virtually ceased to belong.

MR. O'SHAUGHNESSY also questioned the accuracy of the statements of the hon. Member for Edinburgh in alleging that the Irish send their poor over from Ireland, and said that those Irish labourers who went to Scotland worked hard for their living there.

Mr. STACPOOLE said, the hon. Member for Edinburgh made the bitterest and most unfounded speech he had ever heard against his (Mr. Stacpoole's) countrymen, and he hoped they would resent it in Edinburgh.

Question put, and *agreed to.*

Bill *considered* in Committee.

(In the Committee.)

Clauses 1 to 11, inclusive, *agreed to.*

House *resumed.*

Committee report Progress; to sit again upon *Monday* next.

CATTLE DISEASES (IRELAND) BILL.

(*Sir Michael Hicks-Beach, Mr. Solicitor General for Ireland.*)

[BILL 95.] COMMITTEE.

[*Progress* 31*st March.*]

Bill *considered* in Committee.

(In the Committee.)

Clause 2 (Interpretation.)

Amendment proposed, in page 1, line 15, to leave out the words "Act (Ireland), 1866," in order to insert the words "(Ireland) Acts, 1866-1874."—(*Sir Michael Hicks-Beach.*)

Question proposed, "That the words 'Act (Ireland), 1866' stand part of the Clause."

Mr. MELDON said, he should move that the Chairman report Progress. The Bill was an important one, and ought not to be proceeded with at that hour of the night.

Motion made, and Question proposed, "That the Chairman report Progress, and ask leave to sit again."—(*Mr. Meldon.*)

After short discussion,

Question put, and *agreed to.*

House *resumed.*

Committee report Progress; to sit again upon *Monday* next.

Mr. O'Shaughnessy

WAYS AND MEANS.

Resolutions [April 6] *reported*, and *agreed to*:—Bill *ordered* to be brought in by Mr. Raikes, Mr. Chancellor of the Exchequer, and Mr. William Henry Smith.

Bill *presented*, and read the first time. [Bill 124.]

GAME LAWS AMENDMENT (SCOTLAND) BILL.

On Motion of Lord Elcho, Bill to amend the Laws relating to Game in Scotland, *ordered* to be brought in by Lord Elcho and Sir Graham Montgomery.

Bill *presented*, and read the first time. [Bill 123.]

LOCAL GOVERNMENT PROVISIONAL ORDERS (NO. 3) BILL.

On Motion of Mr. Salt, Bill to confirm certain Provisional Orders of the Local Government Board relating to the Borough of Blackburn, and to the districts of Downham Market, Melksham, Milnrow, and Saint Hellens, ordered to be brought in by Mr. Salt and Mr. Sclater-Booth.

Bill *presented*, and read the first time. [Bill 125.]

JURIES PROCEDURE (IRELAND) BILL.

On Motion of Sir Michael Hicks-Beach, Bill to amend the procedure connected with Trial by Jury in Ireland, *ordered* to be brought in by Sir Michael Hicks-Beach and Mr. Solicitor General for Ireland.

Bill *presented*, and read the first time. [Bill 127.]

JURORS QUALIFICATION (IRELAND) BILL.

On Motion of Sir Michael Hicks-Beach, Bill to amend the Laws relating to the Qualification of Jurors in Ireland, *ordered* to be brought in by Sir Michael Hicks-Beach and Mr. Solicitor General for Ireland.

Bill *presented*, and read the first time. [Bill 127.]

House adjourned at One o'clock
till Monday next.

HOUSE OF COMMONS,

Monday, 10*th April*, 1876.

MINUTES.]—New Writ Issued—*For* East Cumberland, *v.* William Nicholas Hodgson, esquire, deceased.

Select Committee — Toll Bridges (River Thames), *nominated.*

Supply—*considered in Committee*—Navy Estimates—Civil Service Estimates—Classes I. to VII.—*Resolutions* [April 7] *reported.*

Public Bills — *Ordered* — *First Reading*— Treasury Solicitor * [128]; Highways [129]; Poor Law (Scotland) [130].

Second Reading—Local Government Provisional Orders (No. 2) * [122]; Local Government Provisional Orders (No. 3) * [125].

JAPAN—NEWSPAPER REGULATIONS. QUESTION.

SIR CHARLES W. DILKE asked the Under Secretary of State for Foreign Affairs, Whether the Government have now considered the recent notification of Sir Harry Parkes, making the publication of newspapers in Japanese by Englishmen an offence punishable by three months hard labour; whether, under the Order in Council of 1865, British Ministers in China and Japan are not in fact prohibited from creating offences in China and Japan, which are not offences in England, or violations of British Treaties with those Countries; and, whether the Government approve Sir Harry Parkes' notification as necessary?

MR. BOURKE: Sir, Her Majesty's Government have now received the despatches containing the full information with regard to the regulations referred to, and have submitted the Papers to the Law Officers. Her Majesty's Government will come to no decision until furnished with their Report; and, in the meantime, it would not be right for me to express any opinion on the provisions of the Order in Council.

COUNTY COURT HOLIDAYS. QUESTION.

MR. EVELYN ASHLEY asked Mr. Attorney General, Whether, considering that by the County Court Orders, 1875, eight days are named on which the County Court office is directed to be closed, the Government approve of the course taken by a County Court Judge in fixing his courts to be holden on those days, and so depriving the County Court clerks of their holidays?

THE ATTORNEY GENERAL, in reply, said, that the question with reference to a County Court Judge holding his sittings at the time when the County Court office was directed to be closed would have been more fitly put to the Lord Chancellor, as the County Court Judge was a judicial officer, and was in no sense under the control of the Attorney General. Speaking, however, as an individual, he might say that the practice of holding Courts on days appointed for holidays for the clerks was one very much to be deprecated. He did not think a County Court Judge should do so without good and special reasons.

PUBLIC HEALTH—TYPHOID FEVER AT EAGLEY.—QUESTION.

MR. J. K. CROSS asked the President of the Local Government Board, If it is true, as reported in the "Bolton Journal" of the 11th of March, that the Local Government Board have decided not to make any inquiry into the outbreak of typhoid fever at Eagley, said to be caused by the consumption of impure milk; and, whether, considering that in the small district of Eagley, which is reported to be in a good sanitary state, no less than one hundred and fifty cases of typhoid have occurred, of which twelve have proved fatal, and considering the difference of opinion existing between medical men as to the cause of the outbreak, and the alarm prevailing in the neighbouring town of Bolton, the Local Government Board will make an exhaustive inquiry into the cause of this outbreak of fever?

MR. SCLATER - BOOTH: Sir, it is not true that the Local Government Board have decided not to make any inquiry into the circumstances of the lamentable outbreak of typhoid fever at Eagley. On the contrary, I informed the hon. Member for Bolton, a fortnight or three weeks ago, that I was ready and willing to give directions for such an inquiry. The only cause of delay has been that the sanitary authorities seemed to be discharging their duty remarkably well, and that they were engaged in prosecuting inquiries of their own through the agency of their medical officer and other skilled persons. I have, however, quite recently received a communication from the sanitary authority expressing their wish that a Local Government Inspector should conduct an exhaustive inquiry, and that will be done immediately after Easter.

SWEDEN—THE BRITISH CHURCH AT STOCKHOLM.—QUESTION.

MR. BERESFORD HOPE asked the Under Secretary of State for Foreign Affairs, Whether his attention has been called to the proceedings in regard to the British Church at Stockholm, and in particular to its forcible entry by the Swedish authorities; and, whether he can state the steps which Her Majesty's Government propose to take in the affair?

MR. BOURKE, in reply, said, the attention of the Government had been called to the matter. It appeared that some disputes had arisen among the congregation respecting the management of the church, and that the Swedish authorities had interfered. Her Majesty's Government had no wish to mix themselves up with the disputes, but had referred the whole subject to the Law Officers of the Crown. As they had not yet received the opinion of the Law Officers, it was undesirable that at present he should say anything further on the subject.

MR. BERESFORD HOPE intimated that he would repeat the Question after the Easter Recess.

RATING ACT, 1874—ST. THOMAS'S HOSPITAL.—QUESTION.

SIR JOHN SCOURFIELD asked the President of the Local Government Board, If his attention has been called to the recent case of the rating of St. Thomas's Hospital, based on the amount altogether expended thereon; and, whether he will introduce a Clause in the new Valuation Bill to provide against the arbitrary assumption of such a principle of valuation by any Assessment Committee? The hon. Baronet, in explanation of the Question, said, it appeared that at the general assessment sessions evidence was offered on one side as to what was believed would be the annual rent which a tenant might be expected to pay. On the other side the only evidence offered was as to the cost of land and expense of foundation and structure, amounting to £432,000. A percentage of 3½ per cent was made on this, certain deductions were made, and the rateable value of the Hospital fixed accordingly.

MR. SCLATER-BOOTH: Sir, my attention has not been called in any formal or official manner to the case in question, but I am generally cognizant of the circumstances. I need hardly inform my hon. Friend that the cost of a building is not a proper basis or criterion of value for rating purposes, however interesting it may be for a valuer to be possessed of such knowledge. The Valuation Bill contains the existing law, and it fixes the rating upon the gross rental or annual value, and not on the capital expended in construction. I cannot undertake to insert clauses in the new Valuation Bill to prevent things being done which are at variance with the statutory principles of assessment.

THE BRITISH MUSEUM—THE READING ROOMS.—QUESTION.

MR. SULLIVAN asked the Secretary to the Treasury, If, notwithstanding assurances given last year that more successful means would be taken to enable readers in the British Museum to obtain books in a reasonable time after application, it is the fact that the average delay at mid-day is still an hour; and, whether, as a matter of fact, a reader on the 5th instant, having been kept an hour and three quarters waiting for a book, had to leave without obtaining it?

MR. W. H. SMITH, in reply, said, it must be admitted that there had been considerable delay in supplying readers with the books requested. He had been in communication with the Trustees of the British Museum on the subject; they were doing their best to remedy the inconvenience, and a considerable increase in the number of attendants had been sanctioned. But there was some difficulty in organizing the service, and the Trustees had recently appointed a sub-committee of their own body with instructions to go fully into the subject.

NAVY—THE "MISTLETOE" COLLISION. QUESTIONS.

MR. WATKIN WILLIAMS asked the First Lord of the Admiralty, Whether Her Majesty's Government propose to pay by way of compensation or otherwise any and what sums of money to any and what persons in relation to the running down of the yacht "Mistletoe" by Her Majesty's ship "Alberta," and the various proceedings consequent thereon; and, whether such sums are included in the Navy Estimates already laid upon the Table, and under what heads and sub-heads?

MR. HUNT: The whole of the information asked for in the first part of the Question of the hon. and learned Gentleman is contained in the Papers already laid before Parliament. The total sum payable in relation to the accident to the *Mistletoe* was nearly £4,000. That has already been paid. No future payment will be made but the annuity to the steward of the *Mistletoe,* whose arm was broken, which is contingent on his arm not being sufficiently recovered to enable him to earn his pension in the Naval Reserve. The payments have been made out of the surplus of last year; the Votes will, therefore, not appear in the Estimates for the current year. The payments fall under Vote 14, which is a sum taken for payments on account of damage done by Her Majesty's ships.

MR. WATKIN WILLIAMS gave Notice that he would on an early day after Easter call attention to the practice of making such payments out of the surplus of last year.

SIR ROBERT PEEL: I wish to ask the First Lord of the Admiralty, without Notice, a Question with reference to a subject which is to be discussed to-night, on which I am desirous, on personal grounds, to have some explanation, inasmuch as one of the victims of the collision between the *Alberta* and the *Mistletoe* was a relative of mine, and was the daughter of my late lamented Colleague. In the Papers laid upon the Table it appears that the Admiralty have reprimanded one of the officers who "contributed to this stupid blunder," and I wish to know, Whether it is correct, as has been asserted in the newspapers of yesterday and to-day, that Captain Welch, one of the two officers in command at the time of the collision, has declined to accept the reprimand of the Admiralty, and if that is so, whether really law and justice should not be done in this case, and whether the two officers should not be tried by Court martial?

MR. HUNT: The right hon. Gentleman has given me no Notice of the Question. I have seen in a *quasi*-comic paper that statement.

SIR ROBERT PEEL: In *The Times* newspaper?

MR. HUNT: There is a statement of the character which he has described in the paper I have alluded to, and I believe it was copied into others. I have seen it in no other periodical. But it is perfectly impossible for an officer to decline to receive a reprimand. It would be an act of insubordination. He may ask for a Court martial, if he is so disposed, and in that way, but in no other way, can he repudiate a reprimand.

SIR ROBERT PEEL: Then he has not asked for a Court martial? May I ask the right hon. Gentleman if Captain Welch has requested to be tried by court martial?

MR. HUNT: No.

MERCHANT SHIPPING—STOWAGE.
QUESTION.

MR. GORST asked the President of the Board of Trade, Whether he will, after Easter, lay upon the Table a Return of those Foreign Countries in which British ships at present enjoy the privilege of exemption from any municipal law relating to stowage, giving the particulars of such exemptions?

SIR CHARLES ADDERLEY: Sir, as I am not aware of any municipal laws of foreign countries relating to stowage to which British ships are subject, I am unable to lay on the Table any Return of foreign countries in which British ships at present enjoy the privilege of exemption from such laws. If the hon. and learned Member for Chatham has any such information as his Question implies, I wish he would name any one of such foreign countries, or lay his information before the House, when it will receive due consideration.

CUSTOMS—OUTDOOR OFFICERS AT OUTPORTS.—QUESTION.

MR. O'SHAUGHNESSY asked the Secretary to the Treasury, If the case of the Outdoor Officers of Her Majesty's Customs stationed at the outports is under the consideration of the Treasury; if any decision has been come to on it; and, what course, if any, the Government propose to take with regard to their claims?

MR. W. H. SMITH: Sir, the case of the outdoor officers in the Customs at the outports is now under the consideration of the Treasury. No decision has as yet been arrived at.

HOLLAND—SUGAR DUTIES.
QUESTION.

MR. RITCHIE asked the Under Secretary of State for Foreign Affairs, Whether, if Holland were to offer abolition of the Sugar Duty in lieu of her engagement under the Sugar Convention entered into at Brussels last August, Her Majesty's Government would be prepared to accept the Treaty on such terms; and, whether the adoption of this course by Holland would lead Her Majesty's Government to advise the ratification of the Treaty?

Mr. BOURKE, in reply, said, that Her Majesty's Government would hear with much satisfaction that the Dutch Government had determined to abolish the sugar duties. The abolition of the duty would evidently be the most effectual mode of abolishing bounties in that country. If, therefore, Holland were to make such a proposal, it could not be otherwise than acceptable as a fulfilment of her part in the arrangement come to at Brussels last year.

NAVY—ANCHORS.—QUESTION.

Mr. BENTINCK asked the First Lord of the Admiralty, Whether it is the intention of the Admiralty to give speedy effect to the submission of the executive and professional officers of Her Majesty's Dockyard, Portsmouth (dated 7th March 1874, see Return, No. 346, Session 1875)—namely,—

> "In order to form a correct judgment as to the merits of the anchor made by Mr. Martin and those on the Admiralty plan, that equivalent anchors on both patterns should be tried on the same ship and exactly under the same circumstances,"

so as to determine by test their relative biting-properties and holding-powers, at long and short scope of cable; and, whether the Government will accept the proposal of Mr. Trotman and subject the best of the before-named anchors to exactly the same competitive ordeal with a light "Trotman Anchor?"

Mr. HUNT: Sir, it is not intended at present to have any such trial as that referred to by my hon. Friend. The *Devastation* being supplied with Martin's anchors, the Admiralty are trusting to the experience to be derived by their use in that ship to form a judgment on their merits. If any trial of anchors should take place, Trotman's will be included.

CHINA—THE YUNNAN MISSION.
QUESTION.

Sir TREVOR LAWRENCE asked the Under Secretary of State for Foreign Affairs, Whether any information has been received of the progress of the mission to Momein under the charge of the Honourable T. G. Grosvenor?

Mr. BOURKE: Sir, we have received a telegram from Her Majesty's Consul at Shanghai, stating that Mr. Grosvenor's Mission had arrived safely at Yunnan Fu on the 6th of March. The Chief Commissioner of British Burmah also telegraphs under date of the 4th of this month, that he had received intelligence from the Resident at Mandalay announcing that a letter had reached him, *viâ* Bhamo, from Mr. Grosvenor, dated Yunnan Fu, the 10th. Mr. Grosvenor had everywhere been received with civility by the Chinese officials since leaving Hankow. Mr. Grosvenor proposes to go on to Burmah after the inquiry is over, and expects to be at Bhamo by the end of May.

PARLIAMENT—EXCLUSION OF STRANGERS.—QUESTION.

Mr. DODSON asked the First Lord of the Treasury, If he will state when he proposes, in accordance with the intention expressed by him on the 6th of March last, to consult the House upon the subject of the Resolution of May 31st 1875, relating to the Exclusion of Strangers?

Mr. DISRAELI: I shall move a Resolution after the holidays—not the first day, that would not be convenient to both sides, but very early after Easter.

PARLIAMENTARY ELECTIONS ACT, 1868.—BOSTON ELECTION.
QUESTION.

Mr. STACPOOLE asked Mr. Attorney General, Whether he has had an opportunity of considering the Report of the Boston Election Commission; and whether, having regard to the time that has elapsed since the persons scheduled to that Report as guilty of bribery committed the offences alleged against them, he is of opinion that those persons are liable to be prosecuted under any or either of the statutes for the prevention of Corrupt Practices at Elections?

The ATTORNEY GENERAL: Sir, I will reply to the second part of the Question of the hon. Gentleman first. I am aware that there is a provision in the statute referred to to the effect that proceedings cannot be taken for certain offences mentioned after the lapse of 12 months from their commission; but if a man were indicted for a common misdemeanour it would, at all events, be very doubtful whether the provision in question would be any bar to the proceedings. With regard to the earlier part of the Question, I would say that, having had a further opportunity of considering the Report of the Commissioners and the evidence on which it is founded, I have not thought it necessary to institute any prosecution in this case.

ORDNANCE SURVEY — SUPERANNUATIONS.—QUESTION.

SIR FREDERICK PERKINS asked the Secretary to the Treasury, Whether any decision has been come to respecting granting superannuation allowances to persons employed in the Ordnance Survey; and, if so, when it is likely to be carried into effect?

MR. W. H. SMITH: Sir, the cases of 69 persons were recently submitted to the Treasury for pensions in consequence of reductions in the Ordnance Survey department. Of these, 66 have been awarded pensions, and three cases are still under consideration.

UNITED STATES—THE "ALABAMA" CLAIMS.—QUESTION.

MR. ELLIOTT asked the Under Secretary of State for Foreign Affairs, If the report in the "Times" of April 4th is correct, that there remains 9,000,000 dollars of unexpended balance from the Geneva Award; and, if Her Majesty's Government have had any communication with the American Government on the subject, and what action they intend to take in the matter?

MR. BOURKE: Sir, Her Majesty's Government possess no information on the matter beyond that contained in the published reports of the proceedings of Congress. A Commission was appointed some time ago at Washington to investigate the claims. The sittings of that Commission have been extended by Congress until the 22nd of July next, and consequently it cannot be said for certain what will be the amount, if any, of the surplus of the award. Her Majesty's Government have not had any communication with the United States Government on the subject, and have no intention of taking any action in regard to the appropriation of the award among the American claimants.

METROPOLIS — STREET ACCIDENTS FROM VANS, &c.—QUESTION.

SIR PATRICK O'BRIEN asked the Secretary of State for the Home Department, Whether "the careful observation and investigation" of the subject of the employment of covered vans, the construction of which does not admit of the driver seeing on either side of him, promised by the Right honourable Gentleman in March 1875 has as yet been made; and, whether he will direct the Metropolitan and City Police authorities, during the Recess, to report to him their opinion as to the most effective course to be taken to avoid the numerous accidents daily occurring in London from heavy waggons proceeding at a too rapid pace, and from the disregard by drivers of the right of foot passengers to make use of crossings?

MR. ASSHETON CROSS, in reply, said, that he gave instructions to the police authorities to make full investigation into the relation existing between the employment of covered vans and street accidents. As the Returns for 1875 had not been finally made up, he could give no information respecting that particular year; but the Returns for 1874 showed that out of 124 persons who were killed in the streets, 28 were killed by vans, 24 by light carts, 18 by waggons and drays, 15 by omnibuses, 14 by cabs and heavy carts, and none by covered vans. Again, out of 2,568 persons maimed, 1,716 were maimed by light carts, 624 by cabs, 375 by vans, 320 by broughams and carriages, 100 by waggons, and only 22 by covered vans. He had given instructions to the police to issue placards warning the drivers of light carts especially—for the risk came in an especial degree from them—to be more cautious in the way they drove about the streets. At the same time he was bound to say that a great amount of carelessness existed, not simply amongst the drivers, but amongst the foot passengers crossing the streets.

INTERNATIONAL CONGRESS OF HYGIENIE, BRUSSELS.

QUESTION.

Mr. J. R. YORKE asked Mr. Chancellor of the Exchequer, Whether, having regard to the great advantages likely to result to the public from the International Exhibition and Congress of Hygienie, and other means and appliances for the protection and saving of life, to be held at Brussels during the current year under the patronage of the King of the Belgians, Her Majesty's Government is prepared to adopt a course similar to that taken by the Governments of Germany, Russia, and other states, in recommending to Parliament to vote a sum of money to enable the various departments to be properly represented at the Brussels Exhibition?

The CHANCELLOR of the EXCHEQUER: Sir, Her Majesty's Government are not at all insensible to the advantages of such exhibitions; but having regard to circumstances, we do not find ourselves in a condition to propose any Vote on the subject.

POOR LAW (SCOTLAND)—MEDICAL RELIEF.—QUESTION.

Mr. M'LAREN asked Mr. Chancellor of the Exchequer, Whether he is prepared during the present Session to place the Medical Relief Grants for Poor Law purposes in Scotland on the same footing as in England?

The CHANCELLOR of the EXCHEQUER, in reply, said, it was impossible to treat the question of the medical relief grants for Poor Law purposes in Scotland by itself. It must be treated in connection with other questions; and it would be dealt with under a Bill, of the introduction of which Notice had been given by the Lord Advocate, for the amendment of the law relating to the relief of the poor in Scotland.

INDIA—THE INDIAN TARIFF ACT.

QUESTION.

Mr. FAWCETT asked the Under Secretary of State for India, Whether he will have any objection to lay upon the Table the Replies of Lord Northbrook to the Despatch of the Secretary of State for India, dated November 11th, 1875, which was published in the Correspondence on the Indian Tariff Act lately laid before Parliament?

Lord GEORGE HAMILTON: Sir, we have not yet received the whole of the replies of the Indian Government to the despatch of the Secretary of State for India of November 11th, 1875. When the Correspondence is complete I will lay it upon the Table of the House.

THAMES VALLEY DRAINAGE—REPORT OF COLONEL COX.—QUESTION.

Captain PIM (for Mr. Grantham) asked the President of the Local Government Board, If Colonel Ponsonby Cox, who was last autumn appointed to hold an inquiry on the drainage of towns and villages in the Thames Valley, has made his Report; and, if so, whether he has any objection to lay a Copy upon the Table of the House?

Mr. SCLATER-BOOTH: Sir, the Report of Colonel Cox is upon a subject of unusual importance, and will be of general interest. I shall therefore be happy to lay it on the Table, though, as a general rule, I do not think it desirable to publish the Reports of Local Government Inspectors in that way.

ARMY—THE LONDONDERRY MILITIA.

QUESTION.

Mr. CHARLES LEWIS asked the Secretary of State for War, Whether he will state to the House the reason for the arrangement that, contrary to the universal practice hitherto, the annual training of the Londonderry Regiment of Light Infantry Militia is not to be held this year at or near the city of Derry, but at Moneymore, a small town of about 300 inhabitants, at the extreme verge of the county?

Mr. GATHORNE HARDY, in reply, said, the annual training of the Londonderry Regiment of Light Infantry Militia was to be held that year at Moneymore, because Londonderry had been reported against on the score of insufficient accommodation, and the officer in command of the district had advocated a camp at Moneymore, and his suggestion had been approved by the Irish Government.

PARLIAMENT—PETITION FROM A FOREIGN TOWN—BOULOGNE SUR MER.

QUESTION.

Lord ROBERT MONTAGU said, he desired to raise a question of Order with reference to the second Notice of Motion on the Paper, which was for the appointment of a Committee to consider and advise the House whether a particular Petition from foreign subjects should be received by the House. The Petition was one which the House had already declined to receive. The Question he desired to ask was, Whether there was any precedent, first, for appointing a Committee to consider the case of a particular Petition; and, second, for the appointment of a Committee to consider whether the House should receive a Petition which it had already declined to receive. He wished to guard himself against misunderstanding; he did not for a moment doubt the power of the House to appoint a Committee to consider the abstract question whether a Petition from foreign subjects should be received; the question applied only to the Motion before the House; and therefore it was, whether the Motion was in Order with regard to this Petition which the House had declined to receive.

Mr. SPEAKER: In answer to the noble Lord, I am not prepared to say whether there is any precedent or not for the appointment of a Select Committee to consider a Petition of this kind; but there can be no doubt, if the House thinks fit to appoint a Select Committee to assist the House to determine whether a Petition of this character should or should not be laid on the Table of the House, such a proceeding would be in accordance with the usages of the House, and, as a matter of Order, would be quite regular.

Lord ROBERT MONTAGU gave Notice that when the Motion came before the House, he should oppose it by moving that the Committee should be appointed to consider whether, and in what cases, a Petition from foreign subjects should be received by the House.

SUPPLY—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

NAVY—THE COLLISION OF THE "ALBERTA" AND THE "MISTLETOE.

RESOLUTION.

Mr. ANDERSON, in rising to call attention to the circumstances under which the yacht "Mistletoe" was run down, and to the subsequent proceedings; and to move—

> "That as the Officers appointed by the Admiralty to inquire into the circumstances attending the collision between the 'Alberta' and the 'Mistletoe' appear to have reported, and the Board of Admiralty by compensations have practically acknowledged, that those in charge of the 'Alberta' were in the wrong, Her Majesty's Government ought, when life had been lost through that wrong, to have taken further steps to vindicate public justice,"

said, before he entered into the main question he had rather a grave charge to make against the right hon. Gentleman the First Lord of the Admiralty, in respect of an incident which transpired on Friday. It would be recollected that the right hon. Gentleman the Member for the City of London (Mr. Goschen) asked the First Lord of the Admiralty why the Report of the Inquiry had not been laid on the Table along with the other Papers, and that the First Lord of the Admiralty replied that it had been designedly left out. He (Mr. Anderson) then asked the right hon. Gentleman whether the Report of the Inquiry had not been one of the Papers which had been asked for by himself and promised by the First Lord of the Admiralty, and the right hon. Gentleman curtly replied, "No." What had previously occurred was this:—The hon. Member for Tynemouth (Mr. T. E. Smith) put the following Question to the right hon. Gentleman:—Whether he had instituted an inquiry into the circumstances of the collision between the *Alberta* and the *Mistletoe*, and, if so, whether he would state the result of such inquiry to the House? This Question was followed on the Notice Paper by his (Mr. Anderson's) own Notice of a Question to ask, whether any inquiry had been instituted by the Admiralty into the circumstances; and, whether the First Lord of the Admiralty would lay on the Table of the House any Report or Correspondence on the subject, and whether any payments had been made, &c. The right hon. Gentleman asked leave to reply to both these Questions at once, and said he intended to lay on the Table of the House

Papers which would give both hon. Members the information they asked for. The information which he (Mr. Anderson) asked for was the Report of that inquiry; therefore, that was part of the information the right hon. Gentleman promised. He now said it was designedly kept back. Did the right hon. Gentleman design to keep it back when he gave the answer to the two Questions? If so, his reply was decidedly disingenuous, for it left the impression on his mind that it was to be furnished. If the right hon. Gentleman did not then mean to keep it back, but afterwards changed his mind, thinking it necessary in the interests of the public service to keep it back, he ought to have informed him (Mr. Anderson) of his intention, for they had been in communication, both verbally and by letter, and never until the last moment did the right hon. Gentleman give him the slightest idea that this important Report was not to be laid upon the Table. It was only when the Papers were actually produced, and when it was too late, that he (Mr. Anderson) found out what had actually been done. This was an instance of a mode of answering Questions by right hon. Gentlemen on the opposite side against which he felt bound to protest. There had been another instance of it that night. Some right hon. Gentlemen appeared to think that flippancy was wit, and tried to evade every question that was put to them; but, however much the House liked a smart answer, at the same time it liked truthfulness and honesty a great deal better. He felt bound to say that in this matter the Prime Minister frequently set a very bad example; and it was not in keeping with the dignity of the House that the right hon. Gentleman the Leader of the House should put himself in such a position that a respectable newspaper—not a Party paper—should be able to say of him that in answering a Question "he fenced and dodged." He would not himself use such words of any hon. Member; but he hoped for the future right hon. Gentlemen would take a more dignified tone in replying to Questions. The question had been asked—why was the whole matter brought up now? Newspaper articles had been written, asking—"Why rake it up now, seeing that the whole thing is settled and everybody satisfied?" It had been said that the Notice of Motion had been put down in consequence of the Papers having been produced; but it was all the other way. The Notice of Motion had not been put down in consequence of the Papers having been produced, but the Papers had been produced in consequence of the Motion having been set down. No doubt the question had been settled to the satisfaction of the Admiralty, which had adopted its own course, settled everything its own way, and used the nation's money to buy off everybody who could possibly raise obstacles, by instituting a prosecution, making things pleasant in that way to a certain extent. Something more than that, however, was wanted by the public. They were not altogether content to see public justice perverted, and the nation's money used as hush money, merely to screen persons in high places. When the nation learned what had been done, he thought it would approve of the course he had taken in exposing it. He did not believe it was too late for redress even now; but, even if it should be so in this case, calling attention to the matter might prevent similar occurrences in future. The House was aware of the circumstances of the case. On the 19th of August last, on a fine day, in a clear roadway, and in broad daylight, Her Majesty's yacht the *Alberta*, going at 15 knots an hour, ran into the *Mistletoe*, which was almost stationary, going at the rate of only two or three knots an hour, and steering her course to Ryde. The occurrence could not be better described than in the first telegram to the Admiralty, which said—

> "The 'Alberta,' in crossing over last evening with the Queen on board, came into collision with and sank the yacht 'Mistletoe' of 120 tons, belonging to Mr. Heywood. One lady and the mate went down with the vessel. The master picked up in a drowned state, died on board the 'Alberta.' One man with arm broken was sent to Haslar. Mr. Heywood is at Admiralty House, under the care of Dr. McEwen, where he was joined by Mrs. Heywood last evening. The crew on board Flag Ship. The Queen, after seeing that arrangements had been made for the care of the survivors, left for Balmoral. Divers are endeavouring to recover the bodies of Miss Peek and the mate, and vessels are going out to raise the vessel. The 'Alberta's' cutwater is all knocked away."

Now, this accident occurred in Stokes Bay, where the Royal yacht had abundant room to go wherever she pleased; and there was not the slightest ground for doubt as to what ought to have been done. The Rule of the Road at Sea was perfectly clear. Article 15 said that if two ships—one a sailing ship and the other a steamer—were proceeding in such directions as to involve the risk of collision the steam-ship should keep out of the way of the sailing ship. Article 16 said that every steam-ship when approaching another ship so as to involve risk of collision should slacken speed, or, if necessary, stop and reverse. By Article 17 it was laid down that every vessel overtaking any other vessel should keep out of her way; whilst Article 18 set forth that where, by the above rules, one of two ships was keeping out of the way of another, that other should keep her course, subject to the qualifications contained in the article following—Article 19—which said that in obeying and considering these rules due regard must be had to all the dangers of the navigation, and to any special circumstances which might exist in any particular case to render a departure from the above rules necessary in order to avert immediate danger. Article 20 said that nothing in these rules should exonerate any ship, or the owner, master, or crew, from the consequences of any neglect to keep a proper look-out, of the neglect of any precautions which might be required by the ordinary practice of seamen or special circumstances of the case. Now, he thought that those rules made the case so clear that it was impossible to get over it at all. Captain Welch undoubtedly said that the *Mistletoe* changed her course, and ran in a course somewhat parallel to that of the *Alberta.* If so, one of these rules would apply, because the *Alberta* would have been in the position, mentioned in Article 17, of overtaking another ship, and was bound, therefore, to have kept out of the way of that vessel. Thus, even if it was true that the *Mistletoe* changed her course and ran in a parallel course, the *Alberta* was in every case bound to keep out of the way of the other vessel. In his statement as to the course of the other vessel, however, Captain Welch was almost, if not altogether, uncorroborated. The only independent witness was Captain Parker, of the *Moonbeam,* who said there was no change on the part of the *Mistletoe* from taking the starboard tack until the moment of collision, and that under no circumstances ought the Royal yacht to have got near. Then the question naturally arose, What were the probable causes that led to the disaster? He found that on the bridge of the *Alberta* there were six persons—Prince Leiningen, Captain Welch, General Ponsonby, Captain Fullerton, and two quartermasters. There were no sails or anything to disturb their view forward excepting the funnel, which could not possibly obstruct the view of all these men. It was impossible, if they were looking forward, that they could not have seen the *Mistletoe.* Prince Leiningen said he was watching the *Victoria and Albert,* which was coming up in the rear, and there was too much reason to believe that the others were engaged in doing the same thing, until, suddenly, one of the quartermasters touched Captain Welch on the shoulder and called his attention to the *Mistletoe*; but it was too late, for a collision was then unavoidable. Then there was the usual bustle, and Prince Leiningen and Captain Welch did all that was possible—which was nothing—to prevent the collision. The order was first given to stop, and then to reverse the engines, and the boats were lowered. It was, however, impossible, as already said, to avoid a collision, and the only question was whether the *Alberta* should run into the *Mistletoe's* broadside, or strike her in a slanting direction. Captain Welch said he had noticed the *Mistletoe* a mile away, and if he had continued to watch her afterwards there would have been no difficulty in keeping out of the way. But a remark made by Captain Welch to one of the persons beside him on the bridge (Captain Fullerton) would show pretty much what led to this disaster. "What bad manners," he said, "these people have, driving across the bow of the yacht with Her Majesty on board." And that was said of a vessel a mile off, and which could have not got out of the way had she attempted to do so. Prince Leiningen, from his evidence, was evidently ignorant of the Rules of the Road at Sea, or thought they did not apply to Her Majesty's yachts or the Royal Navy, for he said that the duty of the *Alberta* was to "give way" to a sailing vessel, and that if a sailing vessel ran into her on the starboard tack—on which tack the *Mistletoe* was

—the sailing vessel would have to bear the blame. Now, there were two fallacies in that statement. The first was the assertion that it was his duty to give way to a sailing vessel. To give way merely meant to pass by the stern, and might be done with very close shaving. That was not his duty at all, the rule stating that his duty was to keep out of the way, which was a totally different thing, and not saying a single word about sailing ships on the starboard tack giving way. That was a new invention of Prince Leiningen himself, so that he really did not know what was his duty on that occasion. Commander Sullivan said—"It was difficult, from the uncertain movements of yachts, to navigate the Solent at the speed at which the Royal yacht was necessarily obliged to proceed;" but when asked what was the necessity for such a speed, he gave no satisfactory reply. In fact, it was only too evident that there was a sort of idea among all naval men that all mere yachts and vessels of the Mercantile Marine should get out of the way, whether they were able to do so or not. Well, two of the bodies—those of Miss Peel and Captain Stokes—were found, and it became necessary to have an inquest. Upon that, he (Mr. Anderson) should have some very strong observations to make. He meant to say that there was a deliberate plan for the frustration of public justice in that inquest, and that that deliberate plan rested partly on officials of the Admiralty. He did not believe that the right hon. Gentleman opposite (the First Lord of the Admiralty) knew anything about it even now; and still less that he had known anything about it at the time; but he believed that the officials of the Admiralty did, and that the right hon. Gentleman ought to know it now because he had better means of finding it out than he (Mr. Anderson) had. Besides, it was the First Lord's business to find out all the circumstances before he took the exceptional course which he did. Now, he should like to explain that the Royal Yacht consisted really of three vessels. There was the *Victoria and Albert*, of which Prince Leiningen was the commander; there was the *Alberta*, which was a tender to the *Victoria and Albert*, and was commanded by Captain Welch; and there was the *Elfin*, which again was a tender to the *Alberta*, and was under the command of Captain Balliston. It was quite evident, therefore, that, one ship being a tender to the other, the captain of the main ship became captain of a tender the moment he went on board that tender. So that Prince Leiningen became commander of the *Alberta* over Captain Welch the moment he went on board that vessel. That was a most important point, which appeared to have been lost sight of by the Admiralty. There were several irregular matters which required to be noticed in connection with the inquest. First, the coroner was a solicitor to the Admiralty. In other words, it was a man in the Admiralty's pay who acted as coroner. There was no occasion for that irregularity, as there were two men, one the deputy coroner at Gosport and the other the coroner at Southsea, not in the pay of the Admiralty, either of whom could have acted as coroner; and it would have been far more decent if the coroner, who was a paid servant of the Admiralty, had declined to serve in a case in which the Admiralty and Naval officers were concerned. That was the first step of which he had to complain in connection with the inquest. The next was in getting the jury summoned, and respecting that, he could prove a fact which the House would hardly credit — that Captain Balliston, of the *Elfin*, the *Alberta's* tender, and thus one of the captains of the Royal Yacht, and who was an intimate friend of Captain Welch's, actually went to the summoning officer to suggest that certain names should be put on the jury. He (Mr. Anderson) had a letter from the summoning officer acknowledging that Captain Balliston came to him and suggested one name. He (Mr. Anderson) had been told by several of the jury, for he had been down to Gosport himself and had seen nine of the jurymen. ["Oh, oh," *and laughter.*] Well, this was a very important case and as he was about to make strong statements he had thought it desirable to make sure of the facts. He had seen nine of the jurymen, highly respectable men, and they were very indignant at the way in which they had been treated, and the way in which they were made the instruments of a perversion of justice by placing two men on the jury who ought not to have been there. He did not blame the summoning officer for acting on the suggestion of Captain Balliston, because he had not entertained any suspicion about the matter. Mr. Saxy, one of the two jurymen in question, and the person Captain Balliston suggested to the summoning officer, was an intimate acquaintance of Captain Welch, was actually visiting at his house between the times the coroner's jury was sitting—visiting one of the men who were implicated, and whom the jury were about to exonerate or condemn. Another man who ought not to have been on the jury was a Mr. Mumby, who described himself in his trade circulars as soda-water manufacturer to Her Majesty the Queen, and claimed public patronage on the ground that he supplied Her Majesty at Osborne, Her Majesty's yacht, the *Alberta* itself, and 50 or 60 Queen's ships, of which he gave a list in his circular. He was, in fact, a mere creature of the Admiralty, claiming the patronage of the public as he did as purveyor to the Admiralty. Could these two men be supposed, in such an inquiry as this, to have been independent men? But that was not all, for Mr. Mumby had previously claimed exemption from serving on juries, on the ground that he was a chemist and a stamp distributor. Only last year he was put on a jury and fined £10 for not attending, and he claimed a remission of the fine for the reason referred to, and got it. What, then, induced him to change his mind and serve on this jury? Could anybody doubt that some private influence had been used to induce him to serve on this particular jury—the very last in the world on which he ought to have served? So much for the composition of the jury. Well, the jury having been summoned, the coroner took the wholly irregular course of appointing the foreman, instead of leaving it to his fellow-jurors to elect him, or as was sometimes done suggesting the first name on the list; and the person appointed was Mr. Mumby, whose name did not stand first on the list, and, indeed, for some time had not been on the list at all. He was informed, too, that during the inquest the coroner acted with the most unmistakeable bias, and was constantly speaking in private to the foreman of the jury. When the jury wanted to put a question it had to be put through him, and he twisted every question, until at last they were obliged to put them themselves. More than that, the Deputy Judge Advocate of the Fleet attended the inquiry regularly, and sent up written questions to be put to the men of the *Mistletoe*. The men of the *Alberta* were obliged to give evidence in the presence of their officers, and Captain Balliston sat immediately beside the witness as he was giving evidence, and actually whispered to him. That occurred during the first two days, until the jury were obliged to complain and insist on his being removed. The result was, that the *Alberta* men were afraid to give honest evidence—they always looked to their officers to try whether they could not get a cue what to say. There was one other matter he had to refer to, which was perhaps even worse than the gross irregularities of which he had spoken. It was this, that Prince Leiningen took upon himself—he hoped without authority—to read to the jury, evidently for the purpose of influencing them, this letter from the Queen—

> "I wish to say how admirably I think every one behaved, and with what rapidity the boats were lowered, and officers and men jumped overboard to save lives, and I believe no one would have been saved otherwise. It was most sad that, notwithstanding the noble efforts of Captain Fullerton and others, one lady lost her life; that the poor old man should have died on board, and that another man was lost."

Now he (Mr. Anderson) had no objection to that letter in itself; it was a most feeling and considerate letter, but not a letter which ought to have been read to the jury to influence them, and which could not but have had an unfavourable and improper effect. When the jury came to consider their verdict, notwithstanding all this, they agreed upon a verdict that the collision was caused by the negligence of the officers in charge of the *Alberta;* but, just before that verdict was given in to the coroner, the two jurymen who had been named desired to know what the result of giving such a verdict would be; and when they were informed that the result would be to put some of the officers of the *Alberta* on their trial, they immediately withdrew from the verdict and stood out against it. The consequence was that the jury were unable to agree—11 being for and 2 against the verdict. The matter was accordingly remitted to Winchester Assizes for further consideration, where a Charge was made by Baron Bramwell.

But long before this matter came up at Winchester, a very remarkable letter was published, which he regretted to be obliged to allude to at all, but he found it necessary to do so, as it had an important bearing on the subject. It was a letter written by General Ponsonby at the request of the Queen, to the Marquess of Exeter, and was as follows:—

> "It has appeared in the course of the recent inquiry at Gosport that it is a common practice of private yachts to approach the Royal yacht when Her Majesty is on board, from motives of loyalty or curiosity. It is evident that such a proceeding must at all times be attended with considerable risk, and in summer, when the Solent is crowded with vessels, such manœuvres are exceedingly dangerous. The Queen has therefore commanded me to request that you will kindly assist Her Majesty in making known to all owners of yachts that she earnestly hopes this practice, which may lead to lamentable results, should be discontinued."

He had spoken favourably of the former letter, but he must condemn that letter entirely. He did not believe it came from the Queen, for there was nothing of the Queen's spirit in it. He did not believe the Queen would send out such a letter without the consent of her responsible Advisers, or some of them, and he should like to know which of Her Majesty's Ministers was responsible for the production which he had just read. In the first place, it was not true that the "common practice" existed of private yachts approaching near the Royal yacht. No doubt an insinuation had been thrown out by the officers of the *Alberta* at the inquest that Mr. Heywood was endeavouring to get near the Queen's yacht in order to see Her Majesty; but that insinuation completely broke down. There was no such attempt, and it was very well known in the Solent that sailing yachts were too much afraid of Captain Welch and the rate at which the Queen's yachts were sailed ever to attempt to go near his vessel. This letter was not only very unfortunate in its language, but it came out at an unfortunate time—namely, between the time the first jury were unable to come to a decision and the time they were taken in hand by Baron Bramwell at Winchester Assizes. In the meantime a second jury was sitting, and it appeared necessary that an explanation of that letter should appear. That explanation was as follows:—

> "As some misconception has arisen in respect to the letter addressed by Colonel Ponsonby to Lord Exeter, we have been requested to state that it was written three weeks ago, before there was any reason to expect a second inquest, and was intended solely to convey the simple request contained therein; that any expression of opinion on the cause of the accident was studiously avoided, and no blame whatever was imputed to the men of the *Mistletoe* or any other party."

Even if written before there was any idea of a second inquest, it was quite well known that the first jury had not given their decision and had been remitted to Winchester to give it, and that its purport could not fail to influence any decision at which that jury might arrive. He said that letter did insinuate that the accident was caused through the common practice of private yachts approaching Her Majesty's yacht. The explanation said, it contained nothing but a simple request therein. That was just what he complained it did not do. It was not like any letter which the Queen had ever written before. Her Majesty had always shown that she deeply sympathized with her subjects in their sufferings and their griefs. Three was not a word of sympathy, however, in the letter of which he spoke, not a word even of caution to her own officers, nothing but an insinuation that it was the common practice of private yachts to approach too near the Royal yacht, and a request that they should not do so in future, which was tantamount to saying to all the yachtsmen of England that in future they had better keep out of the way, or they might expect to be run down. He repeated he should like to know which of Her Majesty's Ministers was responsible for that letter? He had grave doubts whether it would ever have been issued without their advice. He expected an answer to his question, and hoped to be told not only whether it was done with the advice of the whole of the Ministers, but whether any one of them knew anything about it. Whoever did it, whether one of Her Majesty's Ministers or not, he had no hesitation in saying he should be severely reprimanded for it, for in all his experience during the whole of Her Majesty's reign he knew nothing that had so jarred on the feelings of her people as that letter. The next matter he had to refer to was the jury being put under Baron Bramwell at Winchester. There had been considerable discussion about what the learned Baron had said to the jury in his Charge, and it would be remembered he had written a letter saying that what was imputed to him was not correct. That explanation, however, did not remove the doubt which existed, and it was not, to his mind, satisfactory, because it contained a statement of what he intended to say, rather than a point-blank denial of what he was reported to have said. It seemed clear that the learned Baron had spoken in an unguarded manner, and it must be remembered that it was not what Baron Bramwell intended to say, but what he did actually say, that had had its effect in influencing the jury; and a letter signed by 11 of the jury had been sent to him (Mr. Anderson) at the time, expressing distinctly the impressions conveyed to them by what Baron Bramwell did say. However, he should not dwell further on that point. Then came the second inquest. The body of the mate of the *Mistletoe* was found, and at the inquest consequently held, a jury was taken from Portsea, he believed it was taken from the neighbourhood of the dockyard, and was largely composed of men connected with the supply of the Navy. He did not, however, complain of the constitution of that jury, but he should have to make a few remarks on their verdict, which was founded mainly upon certain words of Mr. Justice Patteson, which were quoted to them by the coroner. The learned Judge laid it down that—

> "It was perfectly clear that no man could be indicted for manslaughter for an accident if he acted to the best of his judgment and ability. He was not criminally responsible for a mistake or an error of judgment; but if, on the contrary, a person placed in a situation of great responsibility and trust conducted himself with gross negligence and inattention, then in case of death he was unquestionably guilty of the crime of manslaughter."

That appeared to be principally what the Portsea jury founded their verdict upon, but Judge Patteson went on to say—

> "If the man did not display due care and caution, he was liable to the charge of manslaughter."

The jury found that the deceased had met his death by drowning, and that it was brought about by the accidental collision of the *Alberta* with the *Mistletoe*, but they added a rider to their verdict which entirely contradicted it, and altogether contravened the last part of the ruling of Mr. Justice Patteson. It was as follows:—

> "The Jury wish to express their opinion that there was an error of judgment on the part of the navigating officer of the 'Alberta,' and that they think that a slower rate of speed, during the summer months especially, would be more conducive to public safety, and that also there should be a more efficient look-out."

He contended that this rider was a declaration that there was too great speed and too little outlook, and that these amounted to a want of "due care and caution" on the part of those responsible for the management of the *Alberta*, and yet, instead of finding a verdict to that effect, which by Judge Patteson's ruling involved a charge of manslaughter, the jury returned one which had the effect of an acquittal. Thus they had one jury twice dismissed unable to agree, and the Admiralty officials at Portsmouth knew perfectly well why they did not agree, and how that disagreement had been brought about. Then they had a second jury giving a verdict with a rider attached to it, which verdict was in opposition to the charge of Judge Patteson, which was quoted for their guidance. The Admiralty under these circumstances were bound by every consideration to make further inquiry. They were bound to have a court martial, or, if they objected to that, they were bound to have had a public trial which would have satisfied the public. They might have had a trial commenced on a magistrate's warrant, but, failing that, they might have had a court martial. He understood it was the rule of the Service whenever there was an accident to one of Her Majesty's ships that there should be a court martial. The *Alberta* lost her cutwater, sustained other damage, and had to go into dock to be repaired. Was not that an accident that demanded a court martial? But instead of taking that course, what did the Admiralty do? They held a secret inquiry. He thought a secret inquiry was a thing utterly unworthy of, and, indeed, a disgrace to this free country. It was expressly got up, one would say, for the very purpose of defeating justice, and he for one should like to see that atrocious system altogether abandoned. The inquiry was conducted by three officers, the public being left in ignorance as to the result, for their Report was carefully suppressed, and the only way one could judge at the conclusion arrived at was that a letter was addressed by the Secretary to the Admiralty to Admiral Elliot, in command at Portsmouth, in which he was asked to inform Captain his Highness Prince Leiningen and Staff Captain Welch that—

> "Having given careful consideration to the Report of the officers who formed the Court, and concurring generally in the finding at which they arrived, my Lords have come to the conclusion that, as the attention of Prince Leiningen is frequently and unavoidably taken up by attendance on the Queen during the time Her Majesty is on board the 'Alberta' in crossing the Solent, the conduct of the navigation is properly left to the Staff Captain, and that the latter officer must be held responsible for it."

He should like to know whether the Court of Inquiry came to that finding, or whether it was only the conclusion drawn from their Report by the Lords of the Admiralty? In either case he condemned it as being an untrue finding, and an unworthy attempt to make a scapegoat of Captain Welch for the purpose of screening Prince Leiningen. He had already shown that Prince Leiningen, being commander of the ship of which the *Alberta* was the tender, became the commander of the latter the moment he went on board. It was not his business to attend on Her Majesty; that was the business of her suite. If he were not to attend to his ship, why was he made captain? Prince Leiningen himself made no such claim of exemption from responsibility. To his credit he had in a manly and straightforward manner come forward and claimed the responsibility, and after that he was surprised that the First Lord of the Admiralty should have assented to such a finding. It was untrue also as a matter of fact, for Prince Leiningen at the time was not attending on the Queen. He was standing on the bridge with Captain Welch, and gave all the orders for stopping the engines and lowering the boats, as he himself stated at the inquest, showing that he was acting as captain at the time, and was in every way responsible for what had occurred. He wished to know, if Prince Leiningen had been on board his own ship, the *Victoria and Albert*, where there was no Captain Welch upon whom to cast the blame, where the responsibility for such an accident would have fallen? The letter of the Lords of the Admiralty went on to say—

> "My Lords further consider, in accordance with the finding of the Court, that the course steered by the 'Alberta' should have been such that she could not have been brought into collision with the 'Mistletoe' through any alteration of course made by that vessel."

That view was a correct one, according to the Rules of the Road at Sea, which he had already laid before the House. The *Alberta* had no right whatever to be in the neighbourhood of the *Mistletoe*, because, going at a speed of 15 knots an hour, the slightest touch of her helm would have taken her far away from the latter; whereas the poor *Mistletoe*, going at two or three knots an hour, could not possibly have got out of the way. Then the letter proceeded—

> "My Lords cannot therefore acquit Staff Captain Welch from blame in not having exhibited sufficient care and attention so as to have avoided all risk of accident, and he is to be reprimanded accordingly."

The only objection he had to that passage was that, in his opinion, the reprimand should have been given elsewhere. The letter then went on to say that—

> "My Lords are satisfied that after the collision every effort was made with the utmost rapidity for the preservation of life;"

but then it proceeded—

> "I am to add that in dealing with this matter my Lords have taken into consideration that Staff Captain Welch has now for a great many years been in charge of the 'Alberta' on the occasion of Her Majesty crossing the Solent, and that up to the time of the unfortunate occurrence above referred to, no accident of any kind has taken place, and that his proceedings have given entire satisfaction."

Any one reading that last paragraph would suppose that the Lords of the Admiralty intended that it should be inferred that Captain Welch had not previously been concerned in a collision, and that they wished to give him what the Americans termed "a clean record." It appeared, however, that previously to his obtaining the command of the *Alberta*, Captain Welch was for many years in command of the *Fairy*, and he (Mr. Anderson) understood that accidents were not unfrequent in the case of the *Fairy*. He was informed that on one occasion the *Fairy* ran into a yacht called the *Zouave*, and had to be beached in consequence. On another occasion she went into a packet-boat called the *Solent*, and on frequent occasions there were damages done by the *Fairy* by the system of close-shaving. The rest of the Papers laid before the House in connection with the subject consisted of the Correspondence that occurred during the process of buying off the surviving sufferers so as to preclude the possibility of a public trial, because a public trial would no doubt have brought forward awkward facts, and the Admiralty desired to suppress these facts. No doubt the right hon. Gentleman would make a point out of these offers having been made as displaying a gracious consideration for the poor sufferers. He thought, however, that he should be able to show that these offers were intended to become the basis of a mere business transaction, and that what was meant was simply to buy off the sufferers and to prevent them from prosecuting their claims publicly, because the letters contained a clause which entirely took all grace out of the transaction. The clause to which he referred was this—

> "Of course, in accepting this sum you will undertake not to bring forward hereafter any claim upon Her Majesty's Government on behalf of yourself or your son in respect of your loss."

In his view that clause took away all grace from the offer. He did not wonder at the poor widows accepting those terms, or at the steward of the *Mistletoe* making a good bargain for himself, but he confessed he was surprised at a gentleman of Mr. Heywood's wealth and position accepting the sum of £3,000 not to proceed further in a case where life had been lost. Had only his vessel been destroyed, he could have understood Mr. Heywood's accepting pecuniary compensation for the damage he had sustained; but where life had been lost, he was surprised that he had not insisted upon a public trial being had, which would have brought the whole of the facts clearly before the public, and have enabled them to judge where the blame really lay. The public would not be satisfied until some further inquiry had been held, and under the circumstances he was compelled to condemn Mr. Heywood severely for his part in the transaction. He was anxious to press upon Her Majesty's Government that even now it was not too late to institute a court martial to inquire into this matter. He had heard to-night from the First Lord of the Admiralty that Captain Welch had never asked for a court martial; but he (Mr. Anderson) held in his hand a letter from Captain Welch himself in which he distinctly stated that he had asked for a court martial. The letter was a long one, therefore he would only read the one sentence in it which was in point, and was to the following effect:—

> "Had my request made at the time for a court martial been complied with, the public would at once have known the truth."

The letter was dated "Ischia, March 17," and was signed by Captain Welch. It therefore rested with the First Lord of the Admiralty to show that the statement in the letter was untrue. They were told that Captain Welch had refused to receive the reprimand of the Admiralty. If so, then let him have a court martial, but let Prince Leiningen be included in it also. The First Lord in this matter had acted exactly as he had done in the case of the *Vanguard*. He seemed to think that when he was satisfied, there was nothing else to be said. He said at the time of the accident to the *Vanguard*, that he had made up his mind as to the cause of the collision, and that nothing more was needed. He now virtually said that the Lords of the Admiralty had now made up their minds on this matter of the *Mistletoe*, and that the public had nothing to do but to pay the compensation and hold their tongues—the public had no right to complain of the perversion of justice, but had only to pay the bill. One would imagine that the right hon. Gentleman thought already that he was living under an Empress. ["Oh, oh!"] No doubt if they came to a division the subservient majority which backed up the Government would back them up again, and he had no hope in a division to carry the court martial he asked for. But he would warn the Government that the course they were following, however much it might bring success to them now, would redound to their discredit and bring ultimate disaster. He would be told he was doing wrong in bringing up the question at all, and that in doing so he could not help bringing discredit on Her Majesty. He entirely disclaimed bringing any discredit on Her Majesty. He did not suppose any discredit could come to Her Majesty through that inquiry, but discredit would come to the Government, and that was their due. But if discredit did come to Her Majesty, it was not through him it came, but through hon. and right hon. Gentlemen opposite, who had been doing their best for some time past to set Her Majesty in antagonism to the wishes and feelings of her people. ["Oh, oh!" "Divide!" *and* "Question!"] Hon. Gentlemen opposite did not like to hear that. Why, if the right hon. Gentleman at the head of the Government had been a Red Republican, he could not have done more in that direction than he had done. He knew that hon. Gentlemen on the other side of the House considered him (Mr. Anderson) a Radical of very extreme views; but he was not anything of the kind. He disclaimed extreme views. He had received many letters from persons who were far more extreme than himself, and they had written condemning the course he had lately been taking. They wrote to him—"Why are you always attacking the Government?—the Government are doing splendidly. Let them alone; they are bringing discredit on the Monarchy; and if they continue to do that you will have the Monarchy swept away." ["Oh, oh!"] Those were not his views. He desired to preserve the Monarchy, and in order to do that he opposed the policy of the Government. He opposed their tarnishing the lustre of the Crown by the gewgaw and new-fangled title of Empress. He did not wish to tarnish the lustre of the Crown, and it was for that reason that he had called the attention of the House to the sending Her Majesty out of the country in an unconstitutional and altogether unprecedented manner, simply in order that she might not learn what the real feeling of the people was. For the same reason he brought forward this case, in which there had been a deliberate attempt made to pervert public justice, and it had been done in such a way as to make it appear as if it was done in order to screen a relative of Her Majesty. He believed that those persons who took that course in the servile idea of pleasing Her Majesty were altogether wrong, for it was his opinion that they had put a mean interpretation on Her Majesty's feelings and principles, and that Her Majesty would scorn to interfere with the course of public justice in order to screen either herself or any of her relatives. He begged, in conclusion, to move the Resolution which stood in his name.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "as the Officers appointed by the Admiralty to inquire into the circumstances attending the collision between the 'Alberta' and the 'Mistletoe' appear to have reported, and the Board of Admiralty by compensations have practically acknowledged that those in charge of the 'Alberta' were in the wrong, Her Majesty's Government ought, when life had been lost through that wrong, to have taken further steps to vindicate public justice,"—(*Mr. Anderson,*)

—instead thereof.

Mr. HUNT: The hon. Gentleman who has brought forward this Amendment (Mr. Anderson) commenced his speech by saying that he had a serious charge to make against me, and I quite admit that if the facts of the case were as he has stated them, a very serious charge was made against me. But I beg to say that I think the hon. Gentleman has no foundation whatever for making that charge. The other day, without any Notice to me, the hon. Gentleman put a Question, as to whether I had not promised to produce a Paper which I was then refusing to lay upon the Table of the House. I think I might fairly have complained of such a charge being brought against me at the time. It was imputed to me that I had been guilty of a breach of faith in answering, as I had done, a Question put to me by another hon. Gentleman on the opposite side of the House; and if I did give the hon. Gentleman a curt answer, I must say I felt somewhat indignant at the form in which the Question of the hon. Member for Glasgow was put. I was asked, without Notice, whether I was not refusing to give a Paper which I had promised to give. Well, I thought I could trust to my memory as to what I had promised, and on referring to the Questions put on the Notice Paper, I am entirely confirmed as to my recollection. The hon. Member for Tynemouth (Mr. T. E. Smith) asked me whether there had been any inquiry into the circumstances of the collision between the *Alberta* and the *Mistletoe*; and, if so, whether I would state the result of such inquiry; and the hon. Member who has brought forward this Amendment asked me whether any inquiry had been made by the Admiralty as to the circumstances under which the yacht *Mistletoe* was run down in August last, and whether I would lay upon the Table any Report or Correspondence on the subject. My answer, I think, was this—I am speaking from memory—I said I would lay on the Table Papers which would give both the hon. Gentlemen the information they asked for. The Papers which I laid upon the Table answered the Question of the hon. Member for Tynemouth, for they showed that there was an inquiry, and also the result of the inquiry—namely, a reprimand of Captain Welch by the Admiralty. With regard to the Question of the hon. Gentleman, whether I would lay on the Table any Report or Correspondence on the subject, I have to say I laid the Correspondence on the Table. I never intended at that time, nor have I ever intended since, to lay upon the Table of the House the Report of the Court of Inquiry, and for this reason—Courts of Inquiry, both Naval and Military, are assembled very often to inquire into very delicate matters, and into personal relations between officers; matters which it is not desirable to bring before the public. They are held in order to advise the authorities, naval or military, on the matters which are referred to them, and it has always been considered inadvisable that the officers who compose these Courts should be fettered as to the advice they might give by the knowledge that their Reports and proceedings might be made public. Therefore, as a matter of general public policy, it has always been held that these Reports ought not to be produced. I should, however, have been extremely glad in this particular case to have laid the Report on the Table of the House. Indeed, I believe that, if I had produced the Report of the proceedings before the Court of Inquiry, even the hon. Member himself would have been satisfied with the course I adopted; but, on general grounds, I thought the production of the document would be mischievous as a precedent for the future, and accordingly I did not lay it upon the Table. The same course was adopted only the other day by my right hon. Friend the Secretary of State for War. He was asked to produce the Report of an inquiry into a military scandal, and he said that there was no objection to its production, except that, on general grounds, it was not desirable to produce Reports of that nature. The hon. Member says that we have held a secret Court of Inquiry, and that he has shown that some of the results of that inquiry were the instructions issued by the Admiralty; but if he had gone further, he would have found that the Admiralty instructions as to these inquiries are that, as a general rule, they should be held with closed doors, unless there were instructions to the contrary, and, therefore, that we only, in this particular case, followed what was the rule of the Service. If I had issued instructions, and the inquiry had, in consequence, been made public, I will answer for it that the hon. Gentleman himself would have been the first to say that I had endeavoured to influence the coroner's jury by showing what was the professional opinion upon the subject. That is the reason why instructions were specially sent down that the proceedings of the Court should not be made public. It was to prevent any interference with or influence on the coroner's jury. The hon. Gentleman has gone into the question of the proceedings of the first coroner's jury that was empanelled. He said that no doubt a good deal of what he would say to me would be new to me; and I confess that it was. I have not been down to Portsmouth to see any of the jurors who were summoned upon this inquest, or to make any other inquiries; but I would remind the hon. Gentleman that the coroner of Hampshire, who sat on the first case, is not a Crown officer, but is elected by the freeholders of Hampshire, and is the proper person to hold inquiries upon bodies that come within his jurisdiction. I presume, though I know nothing of the circumstances under which the men were summoned, that the usual course was followed, but, if not, it has nothing to do with me or with any other Member of the Government. As I have said, the coroner is an independent officer, elected by the freeholders of the county, and has duties to discharge towards those who elected him. Then what was my duty as head of the Admiralty in the matter? A coroner's jury not having been able to agree in the case of the inquest upon the first two bodies rescued from the water, I ordered a Court of Inquiry, and in doing that I did the usual thing, and the Court was held in the usual manner. Nothing was done on the Report of the Court of Inquiry for many months, for this reason—that the jury not having been able to agree, the coroner adjourned the inquest until the next Winchester Assizes, so that it appeared to me to be right that the judgment of the Admiralty should not be known until the jury had been discharged at the Assizes. It so happened, however, that a third body was brought on shore and—I cannot but express my deep regret that such a loss of life should have taken place upon an occasion like this—it was taken into a different jurisdiction, that of the borough of Portsmouth, and a different coroner, and of course a different jury were assembled to inquire into the cause of the death of the person whose body was brought there. I do not think that the hon. Gentleman laid any blame upon the Portsmouth coroner; but, like the other one, he was not a Government officer or a Crown official, but was elected by those whose duty it was to choose him. This tribunal came to the conclusion that the death was accidental, though no doubt they appended a rider, in which they made suggestions as to the speed being too fast, and said that in navigating the vessel Captain Welch had exhibited an error in judgment, but they did not fix any criminal responsibility upon him. Then came the adjourned inquest held at the Winchester Assizes, and there the first coroner's jury had the advantage of the summing-up of a learned Judge (Baron Bramwell) upon the depositions; but after hearing his Charge they were unable to agree upon a verdict—that is, they failed to fix any criminal responsibility upon any one concerned. Thus two juries had been discharged, one with a verdict of Accidental Death, and the other with no verdict: and then it became the duty of the Admiralty to consider what course they should take in reference to the Report of the Court of Inquiry. They founded their judgment upon the Report of the Court of Inquiry, and they found in accordance with what has been read by the hon. Gentleman opposite, that Prince Leiningen's time being considerably taken up with personal attendance upon the Queen, the conduct of the navigation was properly left to the charge of Captain Welch. The hon. Gentleman has said that the Admiralty has endeavoured to screen Prince Leiningen; but that I indignantly deny. The hon. Gentleman has told us quite truly that Prince Leiningen is the captain, not of the *Alberta,* but of the *Victoria and Albert.* The hon. Gentleman is also perfectly correct in saying that when a captain of a principal ship goes on board a vessel which is a tender to that principal ship, his authority extends to that tender. It is true that he can take the command of the tender if he chooses. But it is not the practice under these circumstances for the captain of the principal ship to take the command of the tender. The practice is, that the navigation shall be in the hands of the captain of the tender, and that practice has prevailed with respect to the *Alberta* whenever Her Majesty is on board; and if the hon. Gentleman will look at *The Navy List* he will find that Captain Welch is there put down as the captain of the *Alberta.* The case, however, does not rest simply on the practice of the Service. As a matter of fact, Prince Leiningen, when in attendance on Her Majesty in crossing the Solent, is constantly in personal communication with Her Majesty, and cannot attend to the navigation of the ship. But the hon. Gentleman says that Prince Leiningen does not repudiate his own responsibility. Well, it is true he does not, any more than my right hon. Friend at the head of the Government repudiated his responsibility with regard to the issue of the Slave Circular which he had never seen; and, no doubt, Prince Leiningen did the same thing in the same chivalrous spirit. But, as a matter of fact, these orders with regard to steering were given by Captain Welch, and it was not until the collision was impending that Prince Leiningen rushed forward to give orders. Now it is all very well to say that Prince Leiningen is screened because he happens to be in a high position. If it were so, the hon. Gentleman's censure on the Admiralty, and especially on myself, would be well deserved. It is not, however, according to my notions of justice, that a man should be blamed who ought not to be blamed, simply because he holds a high position; and I maintain that if, under the circumstances of the case, the censure of the Admiralty had fallen on Prince Leiningen, it would have fallen on a man who was entirely innocent in the matter. But I will refer to the Charge of Baron Bramwell, and ask the House to consider for a moment what it was he told the jury at the Assizes. He told them that if they found a verdict against anybody it could only be against Captain Welch, and that they must exonerate Prince Leiningen. The hon. Gentleman says, however, that Captain Welch demanded a court martial. All I can say in reply is, that such a demand never reached the Admiralty. I heard nothing from Captain Welch to that effect, and if he had demanded a court martial I would certainly have granted him one. I am perfectly surprised, therefore, to learn from the hon. Gentleman that he has a note in his possession, in Captain Welch's handwriting, in which he says that he demanded a court martial, for no such demand has reached the Admiralty. The hon. Gentleman went on to contend that the Admiralty ought to have ordered a court martial; and I do not undertake to say that there are not arguments in favour of the adoption of that course; but the position of things is very peculiar in the case in which an inquiry has been held by a civil tribunal. This was not the ordinary case of a Court of Inquiry, and then the question whether a court martial should be ordered on that inquiry. But we had before us the fact that two coroner's inquests had been held in this matter under two different coroners, with an interval between them of a great many months, and that the juries failed to find any criminal responsibility against any officer of the yacht. One of these juries had the advantage of hearing the Charge of the learned Judge, and the other had come to the conclusion that the deaths were accidental, and it became a question under the circumstances—those two inquests having failed to fix criminal responsibility on any of the officers—whether any further inquiry should be ordered by the Admiralty. We could not resist the conclusion, not wishing to shrink from our duty, that a certain amount of blame attached to Captain Welch. We considered, in accordance with what appears in the Papers, that the course steered by the *Alberta* should have been such that she should not have been brought into collision by the alteration of course on the part of the *Mistletoe*. But while we were of opinion that Captain Welch was to a certain extent to be blamed, we gave weight to the fact that he had been engaged during a period of 27 years in the most arduous and responsible task of practically conducting the navigation of a ship with Her Majesty on board—a responsibility which was enough to try the nerves of almost any man in waters where the navigation is somewhat intricate and difficult, owing to the natural and loyal wish of Her Majesty's subjects to see Her Majesty, and to the number of yachts collected there for purposes of amusement. We were aware of all this, and while we felt that the discharge of Captain Welch's duties required the greatest nerve and coolness, we also knew that he had never yet given cause for blame on the part of the Admiralty. Under these circumstances we thought that justice would be done if a reprimand was administered to Captain Welch, who was the only person in fault. That was the course we adopted, and it is a course which I hope the House will approve.

MR. GOSCHEN said, he was sure the right hon. Gentleman, however much he might regret that the subject had been brought under the notice of the House, must feel that it was impossible to avoid that being done, seeing that the case was one which had excited so much public interest. But now that it was under the consideration of the House, hon. Members were placed with regard to it in a very difficult position; for they had no facts in connection with it officially before them, the Report or the finding of the Courts of Inquiry not having been produced. He knew the right hon. Gentleman had stated, and with truth, that it was unusual—[Mr. HUNT: Unprecedented]—well, he would say unprecedented, to produce the proceedings of a Court of Inquiry; but he would ask the right hon. Gentleman whether it was not also without precedent that one of Her Majesty's ships should have run down another vessel, however unfortunately, and that no inquiry should have been instituted into that calamity by the Admiralty, but a secret Inquiry, the result of which could not be known? He did not charge the right hon. Gentleman with not producing the proceedings or the finding of the Court of Inquiry; but it was, he contended, most unfortunate that the House was in the position that no single Member of it had any authentic access to the depositions in the case or to the evidence of the witnesses, except the right hon. Gentleman himself, and that they were obliged to depend for their information on which to arrive at a just conclusion on the reports in the newspapers. Now, he wished, on the present occasion, to confine himself to the administrative part of the question alone. The right hon. Gentleman, towards the end of his remarks, introduced to the notice of the House that which seemed to him (Mr. Goschen) to be the main point at issue—why he rested content with the Court of Inquiry without proceeding to deal with the matter by court martial? The House would observe that if the custom of dealing with questions of the kind by Courts of Inquiry was to be sanctioned and adopted, nearly every calamity might be withdrawn from the cognizance of Parliament and of public opinion. Let him suppose that in the case of the *Vanguard* the Court of Inquiry had not been followed by a court martial, the House would have been utterly unable to have dealt with the subject. It was a remarkable fact that there had been two or three other instances during the last six months which had also been dealt with by Courts of Inquiry, and that not only was the House ignorant of the proceedings of those Courts, but even of the finding of the Admiralty itself. An accident had happened to the *Iron Duke*, there was a Court of Inquiry, but the decision of the Board of Admiralty was not known. It might have been a small and unimportant thing; but the House was unable to judge of its importance, because they were unacquainted with the proceedings. In the same way, there was the case of the *Monarch*, in which there was a Court of Inquiry, with, as far as the House was aware, no further result. It was not only the practice to keep secret the proceedings of Courts of Inquiry, but he believed it was unusual for the Admiralty to state its finding on a Court of Inquiry; nor had their opinion in the cases he had mentioned been communicated to the country at large. In fact, they had not done so in the present case until the Papers were moved for. Now, he wished to point out why those precedents against the publication of the proceedings had grown up. They were generally considered in the light of preliminary inquiries only, which afterwards might lead to subsequent action, and which decided the Admiralty as to whether they should take any further proceedings or not. If they were to assume that Courts of Inquiry were intended to supersede or take the place of courts martial, they would make a great error indeed. "The object of Courts of Inquiry," it was laid down, "was to investigate in the first instance charges affecting officers." They were not in the nature of a judicial tribunal; they were simply so many officers gathered together to form a preliminary investigation to guide the Admiralty. Those hon. Members who had read the Papers would have observed that the officers holding the Court were informed that the proceedings would not be made public, but that that was not intended to prevent Prince Leiningen or Captain Welch from being present at the Inquiry. These were the instructions given by the Admiralty. These were two of the incriminated officers, and it might have been according to precedent that they were allowed to be present; but when Mr. Heywood applied that he also might be present at the Court of Inquiry, he was informed that he could not be permitted to attend—that it would be against the custom of these Courts of Inquiry. These circumstances existing, it stood to reason that the finding of a Court of Inquiry was an *ex parte* statement. In what position did the House of Commons find itself? They had before them the explanation given by Prince Leiningen and Captain Welch; they had the decision of the Admiralty upon the finding of the Court of Inquiry, while they were unaware of the evidence upon which it was founded. The Board of Admiralty said they concurred generally in the finding of the Court of Inquiry; but whether their finding was precisely the same as that of the Court of Inquiry there were no means of knowing, and the House never would know. Consequently, they must treat the matter as if no Court of Inquiry whatever had sat, and they had to deal simply with the decision of the Board of Admiralty. If the right hon. Gentleman censured, or if he had acquitted the officers, he had censured and acquitted them on his own responsibility, under the sanction of his Naval advisers; the House must hold him alone responsible. This was not a case like that of the *Vanguard*, where the right hon. Gentleman concurred in, or dissented from, or had over-ridden, the decision of a court martial; and in the position of affairs in which the House was placed, it seemed to him (Mr. Goschen) that the House could not come to a conclusion one way or another as to whether the decision of the Admiralty was right or wrong, because they had no evidence before them, except the reports in the newspapers. He almost regretted that the right hon. Gentleman had imparted into the discussions the Charge of Baron Bramwell in order to strengthen the verdict which he and his Naval advisers had arrived at. The right hon. Gentleman then went on to give a reason why he did not try the matter by court martial, which was very unsatisfactory—namely, that as two juries had been unable to agree to a verdict that Captain Welch or Prince Leiningen were criminally liable, he did not like to try them by court martial. The difference, however, was this. Captain Welch and Prince Leiningen might be professionally liable, although not criminally liable. In that he meant that they were responsible for their conduct in quite a different manner from the points of responsibility which would be raised against them in a charge of manslaughter, or even in a civil action. The great point was that justice should be done; but whether justice had been done, he professed himself, from want of means of information utterly unable to decide. If the Court of Inquiry had decided there was no case, then it would have been wise to drop the matter; but that Court decided there was a case. He thought the Admiralty might have proceeded to a court martial, and, indeed, for all they knew, the Court of Inquiry might have recommended a court martial. If there had been a court martial, many misunderstandings, he thought, might have been avoided. The ordering of a court martial, however, was a matter which so distinctly rested with the Executive Government, that he for one could not vote for a Motion which would direct the Government to hold a court martial. It was simply the duty of the House of Commons to watch the action of the Executive Government in the matter, and not to interfere or direct what should be done. He hoped the right hon. Gentleman thought, and he hoped the Naval Service thought, that the action which the Admiralty had taken was sufficient; but he ventured to say, with regard to the last letter which had been included in the Papers—namely, the letter from the Marquess of Exeter to the Admiralty, in which he informed them that Mr. Heywood had requested that he should express his hope that feelings which might anywhere have arisen in consequence of the lamentable accident might rest now and for ever—that letter was not entirely conclusive as to the manner in which the public might view this sad affair. He almost regretted that the Marquess of Exeter should have thought it necessary to send this letter officially to the Admiralty, or that it should be considered as an official document to be included in the Papers to be submitted to the House. Nothing could be more agreeable to their feelings than to think that Mr. Heywood was satisfied with the expressions of sympathy tendered to him by the right hon. Gentleman, and the pecuniary compensation for the loss of his yacht that he received from the Admiralty; but he should be sorry if the satisfaction given by the Government to Mr. Heywood were marred by any general feeling that the act was done with the view of having the matter hushed up. He could not agree with the hon. Member for Glasgow in calling the money which had been paid to Mr. Heywood hush money, and he was sure the House would vote the money—if not cheerfully, at any rate willingly—knowing that Mr. Heywood had lost his yacht, and that the money offered was simply a pecuniary equivalent. He also thought they would be glad, as no civil proceedings had been taken, and as Captain Welch had been censured by the Admiralty, that such civil proceedings had been avoided by voluntarily tendering the value of the yacht to Mr. Heywood; but no one in that House would think that it was purely a question affecting the Board of Admiralty, the officers of the *Alberta*, and Mr. Heywood. It was a question in which the officers of the Naval Service generally were deeply interested. They wished to feel—and he trusted that after the statement of the right hon. Gentleman they would be able to feel—that justice had been done, and that the officers of the Royal yacht had been dealt with precisely as a lieutenant or captain in any other ship would have been. The officers of the Royal yacht had special privileges in some respects; but he was sure the right hon. Gentleman opposite would concur with him in thinking that it was most important in the interests of the Service, and in the interests of the Queen's ships, that in all cases of mishap equal severity should be shown, and that the navigating officer of the Queen's yacht should not be treated with greater leniency than would be extended, for instance, to the lieutenant of the *Iron Duke.* He thought the House would do well to support the right hon. Gentleman in any expressions he might use for the purpose of showing that all branches of the Service might expect impartial treatment. Holding the views he did, he could not vote for the Amendment, which appeared to prescribe further inquiry by a court martial. If the House saw that sufficient justice had not been done they had, in his opinion, the necessary information before them for forming a judgment. The main point to which he wished to call the attention of the House was that, in consequence of the course which had been pursued, they were unfortunately without any authentic record of the proceedings which had been taken in this unfortunate case.

Mr. SEELY said, that believing that impartial justice had not been done in the case, he would have no hesitation in voting with the hon. Member for Glasgow. Considering the high position of the parties, there ought not to have been the slightest delay in investigating the case—not the slightest suspicion that justice had not been done. The right hon. Gentleman the First Lord had said that but for two inquests having been held a court martial would have sat in the case; but, from the manner in which those inquests were conducted, it was evident that everything had not been elicited which it was desirable to know, and there had been nothing on the part of the Admiralty excepting a Secret Inquiry. As regarded the first inquest, there had been no solicitor, no legal advice whatever, and he apprehended no cross-examination of the witnesses for the first three days—not even a nautical assessor until the last day of the inquest. Was it likely, then, that the facts of the case could have been thoroughly elicited? The conclusion arrived at by the jury at the second inquest seemed to him ridiculous, and one which would not commend itself to the country. Then, with regard to the secret Court of Inquiry, it was to be observed that the whole of the witnesses they examined were officers and men of the *Alberta,* with the exception of Mr. Heywood, not a single seaman of the *Mistletoe* being called. He did not think, therefore, any great reliance could be placed on anything which that Court of Inquiry had done. If the *Alberta* had been a merchant steamer, Captain Welch would unquestionably have been put on his trial for manslaughter; and, if she had been an ordinary vessel of the Admiralty, could it be doubted that a court martial would have been held? It was admitted by the Admiralty that Captain Welch ought to have kept out of the way, and yet he received a mere reprimand, the slightest punishment which the Admiralty could inflict. Such a punishment, in his opinion, was totally inadequate to the offence, and contrasted very unfavourably with what had been done in the case of the *Vanguard.* He thought he would be justified under all the circumstances in saying that an impression existed that impartial justice had not been done in this case; and that, if decisions of this sort were to be given by the Admiralty, a belief would in all probability arise in the naval service and in the public mind generally that favouritism had something to do with advancement and with getting men out of difficulties, and that interest in high quarters was more powerful than knowledge of a man's profession and the earnest discharge of his duty.

Admiral EGERTON said, he really could not sit still and allow the extraordinary theory as regarded responsibility which had been placed on record in the Papers presented to the House, and enunciated in the speech of the First Lord of the Admiralty, to pass unchallenged. The right hon. Gentleman appeared to him to have taken the responsibility off the captain's shoulders in the most extraordinary manner, for he allowed him to be divested of the responsibility after the collision had taken place; and if this theory was to hold good, they ought to have an entire change in the instructions to naval officers. As far as his (Admiral Egerton's) acquaintance with the Service was concerned, he considered the theory that the captain of a ship on stepping on board a tender was not responsible for her was utterly unwarrantable. He might, indeed he very often did, delegate the navigation to the master, or the officer of the watch, as he did on board his ship, but he did not thereby divest himself of the responsibility for the safe conduct of his vessel. It was plain, moreover, that Prince Leiningen considered himself to be responsible, because in one part of his evidence he stated that he was responsible for the safety of Her Majesty while she was on board, and how could he be responsible for Her Majesty's safety unless he was responsible for the vessel itself? As regarded the Court of Inquiry, the Admiralty were perfectly justified in holding an inquiry before the proceedings at the coroner's inquest were completed, and in keeping the result of that inquiry secret, because any finding on the part of a body of naval officers would have had a very prejudicial effect on the position of one party or the other if published before the legal proceedings were instituted; but after the coroner's inquest had been concluded, it would have been much better, and certainly more satisfactory to Prince Leiningen and Captain Welch, if a court martial had been held. According to what they had heard from the hon. Member for Glasgow, Captain Welch appeared to be of that opinion himself, though he could not tell whether Captain Welch entertained that opinion before as well as after he knew that he was to be reprimanded and Prince Leiningen was not. But Captain Welch seemed to feel that he was an aggrieved party. For himself, he did not believe that in this instance the prejudice had been in favour of the captain and against what used to be called the unfortunate master. There was not sufficient evidence before the House by which to form a decided opinion upon whom the fault lay; but he thought it had been clearly shown that the fault of the collision belonged to the *Alberta.* Whether it was to be attributed to Prince Leiningen or Captain Welch was one of those points which he thought ought to be cleared up. He did not agree with his right hon. Friend the Member for the City of London (Mr. Goschen) as to the Motion before the House. If he thought that it was in any way a direction to the Board of Admiralty to hold a court martial he should vote against it, because it was not the business of that House to direct the Executive Government in the course it ought to pursue. But he looked on the Motion rather as an expression of regret that some further steps had not been taken to vindicate public justice in that case. From that point of view he did not think that they need be precluded from voting for the Motion; but after the discussion which had taken place, he trusted the hon. Member for Glasgow would not think it necessary to proceed to a division.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided:*—Ayes 157; Noes 65: Majority 92.

NAVY—THE ROYAL MARINES.

OBSERVATIONS.

Mr. SAMPSON LLOYD, in rising to call attention to the position of the Royal Marine Corps, especially as regarded the stagnation of Promotion and the comparative inadequacy of the Pay of the Officers, in respect of which he had given Notice of a Motion for inquiry by Royal Commission or otherwise, but which by the Rules of the House he was precluded from moving, said, he need not remind the House that the Royal Marines, though in point of organization they were a military body, were an essential part of Her Majesty's Naval Force, constituting from one-third to one-fourth of its natural strength. It was the misfortune of this corps to occupy a peculiar position between the Army and the Navy. They had the arduous duties of both, but the collateral advantages of neither. They had never got the Governorship of a fortress or a province; they had never had any Staff appointment in India, and never an Adjutancy of Militia. Having no employment out of the pale of their own corps, the block of promotion was so great as to become almost hopeless. There were in the Royal Marines seven senior lieutenant-colonels of 35 years', and the youngest lieutenant-colonel had 30 years' service; the senior captains had 30 and the junior captains 17 years' service; and the first 61 subalterns had an average of 15 years' meritorious service, yet they were receiving only £1 a-day. It must, therefore, be admitted that there was something very exceptional in the arrangements as to promotion in this corps, and that those arrangements operated very unjustly on those gallant officers. One cause of the block was, as he had said, that there were no outlets for promotion at the top of the tree in the Governorships and other appointments which officers of the sister Service got. Another cause was that the generals did not retire until they were 70 years of age, while officers of corresponding rank in the Navy were retired at 65, and rear-admirals—corresponding in rank to major-generals—at 60. By the adoption of the same limits of age for retirement as in the Navy one cause of the block in promotion would be removed. An exceptional injustice was done to the colonels second commandants. They were full colonels on the Staff of the Army, yet their pay was only £1 a-day, which was less by a third than their pay was in 1812, although their work now was greater, and the cost of living was infinitely greater. There were several captains who had been 29 or 30 years in the Service, and in addition to there being no rank of major to which they could be promoted, there was the further hardship that 46 Marine captains had, by the abolition of the Woolwich division and other changes, been placed on the Reserve list to step in when a vacancy occurred over the heads of officers who had earned promotion by long service. By that means the promotion of lieutenants was retarded by five years. There were 16 senior lieutenants, averaging 17 years service. Their maximum pay was only £136 17*s.* 6*d.* per annum, only equal to the pay of a clerk in a first-rate shop or bank, and they could not expect any promotion for three years longer service. He was informed on the best authority that so great was the discontent among the officers in the Royal Marines, induced by these disabilities and disadvantages and long neglect of their claims by successive Governments, that the prospect of supplying vacancies in that corps had become very serious indeed. As regarded physique, discipline, and *tout ensemble*, the Marines were second to no other corps in the Service; and it was highly disadvantageous to the Service that the existing feeling of discontent and hopeless disgust should be allowed to continue among them. It was stated on a former occasion by the right hon. Gentleman that he was waiting for the Report of the Royal Commission on Army Promotion and Retirement. But this was not a satisfactory reason for delay, because there was no representative of the Marines upon the Royal Commission, and no question was allowed to be asked respecting them there. Moreover, the position of the Marines differed so entirely from that of the Army, that to deal with the Marines upon the rules applicable to the Army would be unjust. His suggestion was for an inquiry into the stagnation of promotion existing in the corps, and the inadequate pay of the officers. Such an inquiry would not take long, and would not cost much, for the witnesses were all on the spot. Further delay was cruel, and one or two things might be done which would give sensible and immediate relief—for example, he would suggest that the Government might extend to the Marines the temporary scheme of August, 1873, and give to about 20 captains £75 per annum over what they were entitled to, as an inducement to them to retire. That would partly remove the block of promotion, and be received by the junior officers with great satisfaction. If they gave 6*s.* per day to the four colonels second commandants it would only cost £1 4*s.* per day, or about £460 a-year, which could be easily given by a Treasury that could find £500 extra for a Commissioner's salary without inquiry. If the Admiralty were in earnest on this question, he did not believe that the Treasury would refuse to do justice to brave and meritorious men who had done nothing to deserve injustice.

Mr. CHILDERS said, that the Motion of the hon. Member could not, unfortunately, be put to a vote in consequence of the late division, and therefore the House could only discuss and consider it. Having had something to do not only with the official arrangements, but with the Parliamentary inquiry, he might perhaps be allowed to make a few observations. In 1867 the subject was referred to a Select Committee. At that time the Artillery and Engineers were the only non-Purchase corps, and the general opinion at that time was that the Marines should be dealt with, not perhaps exactly on the same lines, but as a non-Purchase corps; but since that time the whole of the Army had become non-Purchase. In considering the claims of the Marines it was necessary to take into account the system of promotion and retirement both in the Army and the Navy. He had entirely concurred, therefore, with the right hon. Gentleman the First Lord when, some time ago, he said it was expedient to see what arrangements were made upon the Report of the Royal Commission upon Pay, Promotion, and Retirement in the Army before dealing finally with the Marines. He was bound, however, to say that he had no idea, when expressing this opinion, that there would be so enormous a delay in preparing the Report of this Commission. Some Members of the Commission were, no doubt, fully employed, but their inquiries had already occupied more than two years, and when he supported the Government in the view they then expressed, he had no idea that that meant a postponement for two years of the claims of the Marines. These claims were carefully considered in 1867 by a Committee of which he was Chairman, and again in 1870, when the scheme of naval retirements was settled; but, in his judgment, some modification was now required in the arrangements then made. He did not speak as to particular details. These would be for the consideration of the Government, after official inquiry. But he thought there were changes which it would be most unjust not to make as soon as possible, and he deeply regretted the great delay which had been caused through waiting for the Report of the Commission. Perhaps one way out of the difficulty would be to make some small changes at once in the position of the officers in the Marines, leaving the general question over until after the Report of the Commission was forthcoming.

Mr. GORST said, that it was quite clear that the right hon. Gentleman the First Lord of the Admiralty was fully alive to the present state of affairs, because more than once during the last Session he alluded to the extreme urgency of the case, and pledged himself, as far as it was possible for him to do, that measures should be taken to remove the grievance which existed. He regretted the absence of the right hon. Gentleman the Chancellor of the Exchequer, because the expression of opinion of the House might have produced some moral effect upon him, and have induced him to lend a favourable ear to any proposition which the Admiralty might suggest, and he hoped the Secretary to the Treasury would report to the right hon. Gentleman the unanimous feeling that existed that some steps should at once be taken with respect to the Royal Marines. It was not desirable to wait for the long-delayed Report of the Army Purchase Commission; but that steps should be immediately taken to put an end to a state of things which was not only unfair and unjust to the Royal Marines, but disadvantageous to the country. It was a grievance to the whole Army that a system should be carried on which had been stated by the First Lord of the Admiralty to be indefensible—waiting for the Report of a Commission which was delayed from Session to Session, and which the House had the authority of the Secretary of State for War for believing would not be presented in sufficient time for any steps to be taken during the present Session. The final settlement of the case of the Royal Marines must, no doubt, wait until the settlement of the whole case of the officers of the Army. But there were grievances peculiar to the Marines. They asked to be placed on the same footing as their brethren, either in the Army or the Navy. They complained that, at the present time, they were in a position inferior to both these Services, and said that whilst waiting for more comprehensive measures they ought to receive more pay, and that greater facilities should be given for promotion, and that they ought not to be kept in their disadvantageous position.

General Sir GEORGE BALFOUR cordially joined in the recommendation of the right hon. Gentleman (Mr. Childers) that the Government should no longer delay in removing that stagnation of promotion from which the Marines so severely suffered. On mere grounds of economy, this relief should be at once given, for if the Admiralty waited for the Report of the Army Commission, it would be a Parliamentary proof of the intentions of the authorities to apply the Army system to the Marine Corps, and not only likely to lead the country into enormous expense, but certain to do so, for past experience showed that all these inquiries on a large scale invariably led to such results. It should be clearly understood that a proper system of promotion could not be established in the Marine Corps until the grades and numbers in the several ranks of the Marine Corps were assimilated to those of the Army, and until all the other Army advantages were given to the Marines in due proportion. These changes could not be made without adding largely to the numbers of officers in the senior ranks of the Marines, and unavoidably thereby increasing the cost of this Corps. That evil should be avoided, and other measures taken to attain the object of relieving the Corps from stagnation in rise, without departing from the present exceedingly good organization in the Marine Corps. The Government should not, therefore, put off the application of remedies which would be sufficient for the existing defects, and make the mistake of waiting for plans likely to endanger its efficiency. The Chancellor of the Exchequer had only to supply the Admiralty with a few thousands of pounds to allow of special retirements being made amongst the seniors of the Corps. A small outlay now would prevent a much greater one in the future, and with the certainty of such consequences he was sanguine that the Treasury would endeavour to remedy the defect which at present existed in the promotion of the Marine officers. Of this he was assured, that if the Government had the least desire to remove this grievance they could very easily do so.

Sir JOHN HAY supported the claims of the Marines, who, he said, had been too long neglected. As a Member of the Committee which sat in 1867, he would remind the House that its inquiries related chiefly to promotion and retirement in the non-seniority corps—the Royal Artillery, the Royal Engineers, and the Royal Marines. The Committee recommended a variety of changes; and in the two former, the rank of major had been restored, but nothing whatever had been done for the Royal Marines. If that rank of which they were deprived many years ago were restored, it would greatly aid the flow of promotion, and go far to remedy an injustice which was deeply felt by the Royal Marines. He thought it was injurious to the public service to continue to treat this meritorious body of officers with neglect.

Admiral EGERTON said, the Marines had been too much neglected by the Governments of both sides of the House. It was absolutely necessary to do something in the matter in order to relieve the corps from the lamentable condition into which it had fallen. He contended that the advantages that had been obtained by the Corps of Engineers and the Artillery might, as a matter of justice, be granted to the Marines.

Captain PRICE said, the right hon. Member for Pontefract (Mr. Childers) had spoken in favour of doing something for the Royal Marines, but not a word to explain why, when in office, his Party had done nothing. There were at the present moment a large number of Marine officers who might retire on certain fixed allowances. Thus there were two colonels-commandant who were eligible to retire on £600 a-year, eight lieutenant-colonels on £450, and 21 captains on £300. For reasons of their own they did not choose to retire, and the money for those pensions must at the present moment be provided for and in the Treasury. He begged to suggest that, as they did not choose to retire, the privilege should be extended to officers junior to them. A temporary relief every year would thus be provided for some anomalies; and the privilege ought to be extended to quartermasters, which would affect the ranks of the non-commissioned officers. There had been no vacancy at all in the quartermasters for the last seven years, and the promotion of non-commissioned officers was thereby stopped. He suggested, too, that by garrison duty increased employment might be found for the Marines. For instance, Gibraltar was won by the swords of the Marines, and now that the Suez Canal diminished the importance of the fortress as a depôt for troops on the highway to India, it would be a great act of grace to allow them to garrison it.

Mr. BATES concurred in the views generally taken by hon. Gentlemen on both sides of the House on the subject, and he trusted that the Government would relieve the Royal Marines from the grievance of which they so justly complained. Great dissatisfaction prevailed among the corps, and the time had now arrived when something ought to be done without further delay, and without waiting for the Report of the Commission.

Colonel NORTH said, the Marines were suffering under great disadvantages, and he hoped the Government would give the case immediate attention.

Sir EARDLEY WILMOT said, that he should not like the debate to close without being allowed to say a few words in support of the Motion, as he had held a brief during the two previous Sessions on behalf of the gallant corps now under discussion, and he had in his hands at the present time numerous letters from distinguished members of the corps, who justly complained of the grievances under which they continued to suffer. He urged that the time was come when Her Majesty's Government should address themselves in right earnest to the removal of those grievances which had been so fully detailed in the speech of the hon. Member for Plymouth (Mr. Sampson Lloyd). It should be recollected that the sea service of the officers of Marines ceased when they had passed the rank of captain, and the majors, colonels, and generals were obliged to remain and languish at home, without any hope or prospect of promotion, at an age when active service was most desired by them in order to obtain professional distinction. In the meantime, all the higher honours and coveted appointments of the Army were altogether withheld from them. This was manifestly unjust, and required a remedy. They had been advised to wait for the Report of the Royal Commission on Army Retirement; but the fact was they had no representative of their corps on the Commission, no evidence had been or would be adduced on their behalf, and the Report would have no reference to the Marines whatever. They appeared to be nobody's child. There it lay between two stools, on one of which sat the right hon. Gentleman the Secretary of State for War, while on the other sat his right hon. Friend now before him, the First Lord of the Admiralty. Neither of them would stretch out a hand to pick the child up. The stool on which the First Lord sat was quite strong enough to support him, and he (Sir Eardley Wilmot) hoped that he would no longer hesitate to take the child up and place it in his ample bosom, where he had no doubt it would be well fostered and cherished. To speak seriously, full justice had already been done by many who had spoken to the noble and distinguished services of the Royal Marines, and not least by his hon. and gallant Friend the Member for Oxfordshire (Colonel North). There was no quarter of the globe which did not bear record to the feats and exploits of this gallant corps, and especially because, from the peculiar nature of their services on board our ships, they were frequently called upon to act at times and in places where the Regular Army had not the same opportunities of action. He was glad to hear that his right hon. Relative the Member for Pontefract (Mr. Childers), though he had not the good fortune to be in the House when he spoke, strongly deprecated further delay in remedying the grievances complained of by the Marines, and the testimony of the right hon. Gentleman was the more important because he had previously advocated delay. The right hon. Member for Pontefract could not but feel sympathy with the Royal Marines, as he quitted office in 1871, having proposed a scheme for the Navy, but having left the Marines out; and, in consequence, that force had been left out in the cold ever since. At the same time, he (Sir Eardley Wilmot) felt convinced that no one had the interests of that corps more at heart than the First Lord of the Admiralty, and the real difficulty in the way of redress appeared to be the question of pounds, shillings, and pence. Surely, in order to do justice to a noble corps, which had deserved so well of their country, a wealthy nation like England would not grudge the expenditure and outlay of a few thousand pounds in order to stop the complaints—the just complaints—of a distinguished arm of the Service, and to set forward the flow of promotion, now completely dammed up and stagnant. He had very great pleasure in giving his cordial support to the Motion of the hon. Member for Plymouth.

MR. A. EGERTON said, that the officers of the Royal Marines and their claims to promotion had not escaped the attention of the Admiralty, and they had every possible desire to remedy the grievances complained of. Shortly after his right hon. Friend became First Lord he examined the subject, in the hope that he might be able to redress their grievances, especially in regard to the stagnation of promotion. It was, however, necessary to wait for the Report of the Commission on Army Promotion and Retirement. It was thought by the Treasury—and he quite agreed with them—that it would be desirable to proceed *pari passu* with the Army and the Marines; but no long time would elapse after the Report of the Commission was published before a well-considered scheme for redressing the grievances of the officers of the Marines would be laid before the House. The Admiralty had been urged to take provisional measures; but even if they were desirable there might be found a lion in the path in the shape of the Treasury. He, for one, was opposed to provisional measures, because they were apt to prevent greater improvements. He trusted that his hon. Friend would accept his assurance of the desire of the First Lord to redress the proved grievances of which the Marines complained.

Sir HENRY HAVELOCK said, it was no part of the duty of the Commission on Army Promotion and Retirement to inquire into the case of the Royal Marines, and he did not believe that their Report would have any bearing on the subject. He hoped that the Government would really do something for them, and would take means to satisfy the legitimate demands of this gallant body of men. The expenditure of a few thousands would meet all that the officers of this much-neglected corps required.

Mr. GOSCHEN deprecated the course taken by the Financial Secretary to the Admiralty, in saying that there was a lion in their path in the shape of the Treasury. They must deal with these matters as a Government as a whole, and they could not separate the responsibility of the Treasury and the Admiralty. There might have been difficulties raised by the Treasury to a proposed outlay on the part of the late Board of Admiralty; but he never pleaded that he was in favour of a certain course, and that he had been prevented by the Chancellor of the Exchequer from carrying it into effect. If the matter on hand were reasonable, the hon. Gentleman would find that the Treasury would lose its leonine character and become a lamb.

Mr. A. EGERTON said, he had stated that if the Admiralty were to propose a provisional measure, they might find a lion in their path in the Treasury; but he had expressly guarded himself against being supposed to be in favour of provisional measures.

Mr. HUNT said, he would not have risen had it not been for the remarks of the hon. and gallant Member for Sunderland (Sir Henry Havelock), who asked what bearing the Report of the Royal Commission could possibly have on the case of the Marines. The view taken by the Treasury was that, the Army being now on the non-Purchase system, it was in all respects the same as the Marines, and no scheme for placing the Marines in a proper position as to promotion could be carried into effect without making arrangements for the retirement of officers of the Army at a certain age. The Admiralty must know at what age officers of the Army were going to retire before they could deal satisfactorily with the case of the Marines. It was true that the question as to the Marines was not referred to the Commission; but, still, the general considerations which referred to the whole Army would apply also to the Marines. When the Royal Commission was formed with reference to the Army, he considered whether it would not be possible to refer to the same Commission the question of the stagnation of promotion in the Marines, but the Commission had already been constituted, and he saw that the Marines were not likely to have regarded it with confidence, unless they had their representatives upon it. It would not be difficult, however, to lay down a scheme for the Marines on the line of the scheme for the Army, and he hoped before long to be able to put forward a plan for getting rid of the very great grievances under which the Marines at present laboured.

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—NAVY ESTIMATES.

Supply—*considered* in Committee.

(In the Committee.)

(1.) £2,634,904, Wages, &c. to Seamen and Marines.

Mr. SHAW LEFEVRE, on rising to call attention to the increasing number of desertions of seamen of the Fleet, said, the House would recollect that the first night of the Navy Estimates was wholly occupied by discussions on the *matériel* of the Fleet and the policy of shipbuilding. He should venture to ask its attention for a short time to a matter of at least equal, if not greater, importance—namely, the *personnel* of the Navy, and he trusted the House would not grant the Vote without due consideration. No human being could foretell with certainty what would be the experience of a future Naval war as regarded the value of iron-clads or other ships of war; but of this they might be certain—that without an adequate body of well-disciplined and intelligent and contented seamen no ships would be of much value, and that with such a body they might be confident that they would fight to the best advantage on whatever platform the science of the day provided. It was now generally admitted that a standing force of between 18,000 and 19,000 pure blue jackets was sufficient for our Navy in time of peace, to be supplemented in time of war by our Reserves. The numbers voted had stood at this rate for seven or eight years, and he saw no disposition on the part of the present Government or either side of the House to increase the number. Indeed, no part of the serious increase in the Naval Vote was due to the *personnel*. Of the 18,000 men, not more than 12,000 were employed in sea-going war vessels in commission. The others were engaged either in non-fighting vessels, or were lying in our Reserve ships or depôt ships; and should they be called upon suddenly they had more men in our ports than were sufficient to man all the coast-guard reserve ships, all the coast-defence vessels, all the ships in reserve, and, in fact, every vessel that we could send out to sea in a reasonable time. Beyond that they had 4,000 Coastguard men in reserve, and the Naval Pensioners, of whom 3,000 to 4,000 were still of an age to be of real use, and 18,000 Naval Reserve men. The fact was that in proportion to non-combatants, the number of pure blue jackets in our vessels was much less than it used to be. Twelve years ago the flag-ship of the Mediterranean, the *Victoria*, with a crew of 1,100, required 600 blue jackets. The *Sultan* of the present day, however, required only 230 out of a crew of 600, and the *Devastation* only 100 blue jackets. The six iron-clads of the Channel Fleet only required 2,000 blue jackets, and the Mediterranean Fleet only 1,700. But with this greatly reduced requirement, and looking also to the complications of modern ships, and the great size of the guns they would have to work, it was more than ever necessary that our seamen should be of the highest average *physique*, and should be well-trained and highly-educated. Two very serious symptoms had recently appeared, which would have to be taken into consideration by the authorities—one was that the number of desertions from this comparatively small Force had in the last four or five years greatly increased; and the other was that the entrance of boys into the training ships had fallen off so much that the right hon. Gentleman the First Lord of the Admiralty had announced his intention to lower the standard of *physique* and of education, a step which he believed to be one in the wrong direction, for nothing could be more unwise than to reduce the standard. With respect to the increase of desertions, it appeared from a Return he (Mr. Shaw Lefevre) had obtained at the end of last Session, that the number had almost doubled in the last five years. Out of a force of about 18,000 pure blue jackets they were in 1870-1, 493; in 1871-2, 516; in 1872-3, 810; in 1873-4, 829; and in 1874-5, 895. About 200 of those who deserted last year were recovered; but, after making allowances for that, he found that the desertions of pure seamen were considerably in excess of the desertions from the Army, being, in fact, at 3 per cent as compared with 1 per cent in the Army. It appeared that from one-third to one-fourth of the boys who entered the Service deserted at some time or other during their career as seamen. He would remind the Committee that their seamen were now recruited entirely by means of boys, trained at a very great expense, and in most respects with a very satisfactory result, for as regarded *physique*, education, and general intelligence, the seamen were unquestionably superior to what they had been in previous times; but even apart from desertions, the waste was very great, and to supply so small a body as 18,000 men an entry of nearly 3,000 boys was required, or one to six of the men. The other serious feature he had alluded to was the increasing difficulty in recruiting, notwithstanding that an increase of pay was given to the boys two years ago by conceding to them a free kit, for which they were previously charged £5, making their pay £9 a-year. The number of recruits had fallen off, and he believed they were recently 700 boys short of the required number. The Return which he had alluded to also showed that the number of re-entries after 10 years' service was also falling off, for the number of men in their 11th year of service was 555, in their 12th year 699, and in their 13th year 831. All these facts pointed to this—that the Service was not so attractive as it used to be, and that they should re-consider the position of our seamen. He thought he should be able to show that much might be done to improve the position of the men and to make the Service more attractive without increasing the burden of the Estimates, which were already very high, and without following the plan which had been adopted in the Army of increasing the pay but throwing the whole burden upon the future. It was a mistake to suppose that the vacancies were recruited from the very lowest class of society. Up to the present time the boys taken as recruits had been of a very high standard. They were invariably the sons of respectable parents, often in positions much higher than would be supposed. They were entered between the ages of 15 and 16, and they were bound to service for about 13 years. They were kept one year on board the training ships; they then passed into the rating of first-class boys for sea service, and were rated as ordinary seamen at the age of about 18. The expense of training the boys was very considerable. A recent Return showed that, by the time the boys were rated as seamen, every man so rated at the age of 18 had cost the country from £150 to £200. The wages of the men when rated as ordinary seamen were about £22 16*s*., and as able seamen £28 18*s*. per annum. There were extras for good conduct, and the almost certain prospect of being rated as leading seamen and petty officers, with increased pay; but the pay alone was unquestionably lower than that of seamen in the Merchant Service. On the other hand, the service in the Navy was continuous, while that in the Merchant Service was broken; the food in the Navy was much better than that of the Merchant Service; and, above all, there was a certainty in the Navy of higher pensions than could be obtained at so young an age in any Service in the world. His impression was, that in any re-consideration of the pay of the Service it would be well, while respecting any existing interests, to put some limit in the future on the amount of pension. He was convinced that immediate pay was far more effective in retaining men in the Service in the earlier years than the prospect of high pensions. Another point to which he must allude was one which had been brought out in a pamphlet very strongly and forcibly by a most competent authority—namely, by Captain Wilson, one of the most promising of our officers, who was recently in charge of all the training ships. He showed that we were already training by the artificial process in our training ships more boys than could be drafted conveniently into sea-going ships. All the ships in commission only provided room for three-fifths of the boys annually turned out of the training ships, and 1,200 boys were always waiting in depôt ships doing nothing but evil. This evil did not only rest with the boys, but was equally conspicuous in the seamen. Of the 18,000 seamen, two-thirds only were employed on sea-going ships in commission, the remaining third being in depôt ships, harbour ships, and other non-sea-going vessels. Captain Wilson's words were—

> "All our ships together do not take more than three-fifths of the boys who leave the training ships; the remainder are cooped up in harbour ships, learning little but evil. It is thus clear that we have not nearly the requisite tonnage at sea to salt our youths properly—a state of things most detrimental to them and to the Service at large. In short, we have to keep more men than the ships of the Navy can possibly make into sailors, and the sooner the fact is boldly faced the better, for no half-measures will remedy this most serious evil. Some 1,500 boys per annum can be conveniently and advantageously disposed of in the ships usually kept at sea, but any excess of that number only injures the sea training of them all."

The remedy which Captain Wilson suggested was not the costly one of commissioning more ships, but of more systematically training boys in naval barracks on shore, and of endeavouring to dispense with the necessity for entering and training so many boys by entering a certain number of men at an older age, direct from the Merchant Service, and passing them, after a short service, into a Reserve—in other words, that the system of short service in a modified form should be adopted for the Navy. He did not understand Captain Wilson to desire that the training ships should be given up as the main and principal source of supplying the Navy with its recruits, but that they should limit somewhat the number of boys to be entered and trained in this way, and that they should enter a certain number direct from the Merchant Service, and pass them, after a short service of four years, into a Reserve. He need hardly point out that for some years past there had been an almost entire disconnection between the Merchant Service and the Navy. In former times there was always a large body of seamen who fluctuated between the two Services, and he believed the Merchant Service gained from having always a certain number of men in it who had been trained and disciplined in the Navy. Since the continuous-service system and the training system, however, had been in force, the number of men entered direct had been gradually decreasing, and for some few years past had entirely ceased. He was not surprised that this should be so, for men could only be entered for the non-continuous service, the pay for which was about £5 a-year below the pay of continuous-service men, and was, therefore, very far below the pay of the Merchant Service. To some extent, also, the inducements of the Naval Reserve acted as a counter attraction in the Navy, and prevented men entering the Navy. By entering the Naval Reserve a man could obtain £12 per annum for a month's work, and this, in addition to his pay in the Merchant Service for the other 11 months, was a far better thing than anything which either the Navy or the Merchant Service offered alone. Numerous suggestions had been made from time to time on this point with a view to making the Naval Reserve a force of men who should have passed through the Service. Some had suggested that we should train double the number of boys and pass them into the Reserve after a short service. It would be easy to show, however, that that scheme was impossible. If we found difficulty in disposing of our boys in sea-going ships already, the difficulty would be vastly increased by adding to the number of boys. If, on the other hand, we could enter a certain number of men—say 600 to 700 at the age of 20, and pass them into the Reserve after four years' service, we should not only increase the number and quality of our Reserves, but should also reduce the difficulty of training boys and reduce the cost of such training. Looking, then, to the difficulties pointed out by Captain Wilson of training our boys on sea-going ships, looking also to the difficulty of obtaining entries of boys and to the inexpediency of reducing the standard, he would suggest that we should aim at reducing the number of boys required for training by about 1,000; and he would do so in two ways, first by endeavouring to reduce desertion by 400 to 500—secondly by endeavouring to enter a certain number of men, say 500 to 600 every year, direct from the Merchant Service. If we could thus reduce the number of boys to be trained, we should save £200,000 per annum, which would enable the Admiralty to meet any requirements for the purpose of improving the general pay and condition of the seamen of the Fleet. He had no wish to embarrass the Government on the point, and he had no desire to raise prematurely, still less in any Party spirit, a question of so much delicacy. But he felt persuaded that, having regard to what had been done in the Army, it would be wise to reconsider the pay of the seamen of the Fleet in a liberal sense. The whole question should be considered. If the pay were increased, it might also be well to limit somewhat the promotions to petty officers, which were already over numerous, and were really made to counteract the effects of low pay. It might also be a question whether some limit should not be put on the amount of pensions, which were at the present excessive. The pension list was increasing at a prodigious rate, and threatened to become a great burden to the Estimates. It now amounted to £400,000, and he calculated that it would rise by slow or fast degrees to the the maximum between £800,000, and £1,000,000. The great pressure of this item arose from the fact that pensions were granted at the early age of from 38 to 42. Another matter, second only in importance to that of pay, was the treatment of the men. He believed this to be worthy of the consideration of the Admiralty. The question was a delicate one, and he should be sorry to say anything which would hurt the feelings of the profession; but he knew that there were many officers who thought that the mode of dealing with the seamen had in some quarters not advanced in the proportion to the better education and better training of the men themselves, and that the old-fashioned rough and hectoring style of addressing the men and commanding them was not sufficiently discouraged. By giving attention to these two points—namely, the question of pay and of treatment—he believed the desertions might be greatly reduced. The next point was the entry of men direct from the Merchant Service. He believed it would be to the interest of both the Navy and the Merchant Service to revive to some extent the connection between them, and many persons thought it would be well to make it a condition of incorporation with the Naval Reserve that a man should have served three or four years in the Navy. He would suggest that that should be done by entering a certain number of men direct from the Merchant Service every year, say 600 to 700. These men should be enlisted for four years at the age of 20, trained on shore to guns for one year in naval barracks, and then sent on board seagoing vessels in commission, after which they might be passed into the Reserve on the same terms as the Army Reserve men. It would be quite necessary in order to obtain these men to raise their wages to an equality with those of the continuous-service men. His suggestions, therefore, were these—1, To reconsider the whole question of pay and treatment of seamen, in the hope of reducing the desertions of the men by about 500; 2, to enter direct from the Merchant Service from 600 to 700 men annually, to train them for four years, and then pass them into the Reserve; 3, by the these means to reduce the entries of boys into training ships by about 1,200; 4, the effect of this would be not only to save the cost of training boys to that number till they were rated as seamen, but also to relieve them of the difficulty of training the first-class boys; and, 5, to restore the standard of *physique* and education on the entry of boys to the training ships. It was his strong belief that by adopting these measures we might be able to make a very liberal increase of pay to the seamen without entailing any increased burden upon the Estimates, without imposing a great burden upon the future, as had been done in the case of the Army, and that we might also increase the Reserve of seamen, while we were also benefiting the Merchant Service by returning to it every year 600 or 700 well-disciplined men. He had only to conclude by thanking the House for their attention, and by assuring the right hon. Gentleman that he had had but one object in bringing forward this subject—namely, that of promoting the interest of the Service which he believed he had at heart, and suggesting the means by which he might give contentment to the Service, and add to its efficiency without entailing any greatly increased burden upon the tax-payers.

Mr. HANBURY-TRACY said, that the Committee were much indebted to the hon. Member for Reading (Mr. Shaw Lefevre) for having brought forward the present position of the *personnel* of the Navy. The question of how best to check the large number of desertions which had taken place during the last year, opened up the whole subject of pay and the condition of our seamen together with the much-vexed point of how far a closer alliance could be created with the Merchant Navy, so as to facilitate a constant interchange of men between the two Services. It was very satisfactory to find from the statement just made that it was quite possible by judicious changes considerably to increase the pay of the seamen, if found advisable, without in any way augmenting the annual charge. Taking first, the question of obtaining a certain number of Merchant seamen annually, he thought there could be no doubt that, as the rates of wages were now fixed, it was an absolute bar against them. He found that whereas a Merchant able seaman received on an average from 2*s.* to 2*s.* 4*d.* per day, he could not as a non-continuous service man in the Royal Navy receive more than 1*s.* 4*d.* per day. The first thing would necessarily be to equalize the continuous and non-continuous pay, which would bring the pay up to 1*s.* 7*d.* per day. If, when this had been effected, the pay was also raised 2*d.* or 3*d.*, the disproportion between the Merchant and Naval Services would not be so great. It must be remembered that, in comparing the two rates of pay together, the man-of-wars man received comforts and rewards which were unknown in the other Service, and which, together with the certainty of a good pension, made the pay of an A. B. in the Navy a very fair figure. He, at the same time, agreed in thinking that, so far as pay was concerned, "Present pay" was the point generally considered, and not the attendant inducements. He found that in the year 1815 the pay was 1*s.* 2*d.* per day, and considering the common rise in wages since that date he did not think it surprising that so long as we held out only 1*s.* 4*d.* as the pay for a man entering from the Merchant Service, none could be obtained. Whilst he thought that that restriction should be removed, he felt at the same time bound to say that he had grave doubts if there were any Merchant seamen available. The real fact was that, until we adopted the plan suggested by the Manning Commission, and started large training ships in our principal seaports to rear up boys for the Merchant Navy, the Government supporting one-half on certain conditions, of one year's service in the Navy with further claims in the Reserve, he feared the pure Merchant A. B. willing to join the Navy could not be found. However much it might be advisable, from a national point of view, to facilitate a flow of seamen from the Merchant Navy, he deprecated most strongly anything which would tend in the slightest degree to upset the present system of rearing up our seamen from boys. Under the existing plan they obtained the most magnificent set of seamen it was possible to get hold of, and he believed that they possessed a far better-trained and well-conducted body of men than could be reared under any other scheme. It was perfectly true that it was not an expanding system, and this was the reason why it was necessary to look to the Merchant Navy for our Reserves. The problem how to check desertion was no doubt a difficult one, but he doubted whether it was a mere matter of pay alone. Increase of pay would, of course, diminish it, but he believed desertion arose from two other causes besides. First, love of variety; second, discontent. A life of variety and excitement was inherent in every sailor, and his training made him look forward continuously to an active and enterprizing life. It was not, therefore, surprising that in the Colonies and on the Pacific Station their men were constantly tempted to desert. He was much inclined to think that, under certain circumstances, arrangements might be made for a proportion of men to leave the Service for a time when they specially desired. It was a difficult matter, but he thought a Committee of some experienced captains and admirals would soon find a practical solution of it. He remembered Admiral Erskine, a few years ago, when a Member of the House, stating that he had tried the experiment on the Australian Station with considerable success, and that he had not lost any of the men. He had been much struck by a similar opinion expressed by Captain Wilson in his able lecture at the United Service Institute early this year. He said—

> "I would introduce a more elastic system, combined with time pay, by which a man might with reasonable facility obtain his discharge from the Commander in Chief, and, under circumstances, from his captain. At first a considerable number would apply for their discharges, but, after a time, many would return and settle down to their work. If a man really wishes to go, he can always manage to do so, the punishment of deserting prevents his 'returning,' not 'leaving.'"

The second cause he put down to discontent. He did not in any way mean to imply that the Service was unpopular; but he thought that in all great Services special cause for discontent occasionally arose which ought at once to be checked. He believed that a considerable amount of discontent arose from the great length of time the men were now in harbour. The hon. Member for Reading had shown that whilst 10,000 seamen were afloat, we generally had about 8,000 in harbour and in harbour ships. Of that number about 1,200 were young ordinary seamen, and it was to them he desired specially to direct attention. The great fault of our system was the lack of training which our young seamen received. If a young man commenced his life when he was rated an ordinary seaman by spending a considerable time in harbour, he frequently got into mischief. One thing led to another. He went from bad to worse, and at last got into serious trouble. So that when he was drafted into a sea-going ship he was discontented, he had lost his passport for advancing rapidly, and he took an early opportunity of running away. He attributed a great amount of the desertions to this cause, and he looked upon it as a most serious evil. It was impossible to pass by this subject without deferring to the subject of naval barracks. They had now no place where they could give the men systematic training and instruction, and the result was, that harbour time was employed "playing horses" in the dockyards, dragging carts and spars about the yard, and time was wasted in going too and fro from the hulks. The establishment of naval barracks at each port with training ships attached would be the greatest incentive to discipline that could be created, and it would be at the same time a great economy. There was nothing so expensive as a floating house. Barracks once built they would have little or no expense with them. They would then be able to drill the men in sails, spars, and boats, and send them into sea-going ships, well-trained, and in a thorough state of discipline. Sooner or later they must adopt barracks. The old ships were gradually getting scarce, and he believed that a very few years would see them forced to face the necessity. The cost could not exceed £300,000 at Portsmouth or Plymouth, and that spread over 10 years ought not to be sufficient to frighten them. An accurate account taken of the expense of hulks would show a considerable saving on the annual charge. There was also an opinion which he knew existed amongst a great many officers, that the time had arrived when that splendid body of men, the Royal Marine Artillery might be amalgamated with the Royal Marines. Nothing could exceed their high state of discipline and efficiency; but he knew it was very much doubted whether it was necessary to maintain this special class of artillerists, now that they had so many seamen passing through the gunnery ships, and a large number of first-rate captains of guns. If this ever was carried out, their capital barracks would at once be available for the Navy. In suggesting an increase of pay the hon. Member for Reading had spoken of the possibility of diminishing the number of petty officers' ratings. He thought this should not be attempted without great consideration, as there was no greater incentive for work and for good conduct as the prospect held out of these ratings. At the same time he was inclined to think that if the A B's pay was raised, the rating of leading seamen might be abolished. It was a rating established when there existed a large number of old men who could not well be sorted as petty officers, but the necessity for it had long ceased to exist. The enormous amount which the hon. Member for Reading said the pension fund would rise to—namely, £1,000,000, induced him to think that the question of pay and pension ought to be considered together. He was much inclined to the opinion that a larger pension at a later date would prove more efficacious and less expensive; especially, if combined with an increasing rate of pay according to number of years served. He could not sit down without alluding to two subjects which he knew caused some discontent. The first was the question of paying the men in depreciated silver. Some few weeks before he had questioned the First Lord of the Admiralty on the subject, and the right hon. Gentleman had admitted—"That the petty officers and seamen on the India and China stations were paid a portion of their pay in Indian currency, but that the exchange value of the rupee was under consideration." He (Mr. Hanbury-Tracy) was afraid that that was a sample of many other cases which when pointed out did not receive immediate attention, and caused considerable discontent. The facts of this case were very simple. It was well known that silver in India had depreciated about 10 per cent, and yet although the men had a right to receive the full amount of their wages, as voted by Parliament, they were nevertheless mulcted of the difference in exchange. It was not a case of the Government losing by the transaction, for they actually credited themselves with 10 per cent. The paymaster drew a bill and credited the Government with the balance, after paying the men at the rate of 10 rupees for a sovereign when the real value was 11 rupees to the sovereign. That might seem to them only a small matter, but he knew it was considered a serious cause of complaint by the men. To show how strong a grievance it was, he would quote a passage from *The Times* of India—

> "The seamen of the Flying Squadron are entitled to wages in English currency—£ *s. d.*—and there is no mention of rupees in their contracts. Such being the case, it is obvious that if it suits the convenience of Government to pay the men, when serving in foreign waters, in other currency than that of England, they should as a matter of course receive the exchange value of the sterling coinage. But this has not been the experience of the Flying Squadron in Indian waters. Although both the Home and Indian Governments practically recognize the fact that a rupee is worth 10 per cent less than two shillings, the seamen are paid

> their English wages in rupees, at the rate of one rupee for each florin due to them. The consequence is, that on every payment made in an Indian port, the ships' paymasters, who obtain Indian money in Bombay or elsewhere in exchange for bills on London for the full amount of the wages due to the men in £ *s. d.*, have to 'credit' Government with sums remaining on hand 'after payment to the crews' at the rate of a rupee for every two shillings due, 'the direct profit accruing to Government by the process amounting to about 10 per cent of the total wages.' The Naval and Military Services are by no means over-paid, and there is considerable difficulty in recruiting either in a highly-paid labour market. It is short-sighted policy to add to the unpopularity of the Services by literally filching from the men what is legally and morally due to them. We trust that publicity may have the effect of putting an end to a scandal which, though directly beneficial to the Exchequer, is certainly injurious to the reputation of the Admiralty and the Home Government."

It was quite evident that the feeling expressed on the lower deck would be somewhat stronger than this, and no one could wonder at there being some discontent in consequence. A blue jacket simple and obedient as he was, was peculiarly sensitive to his rights or to any attempt to a breach of faith, and these sort of questions ought never to be allowed to exist. The question of victualling was also a matter in which many people considered injustice existed, but he would only allude to it for a moment. It was well known that under the existing system a most beneficial plan was adopted, satisfactory to the men, and economical to the State. The arrangement made was, that the men received the value of any provisions they did not wish to take up, and these sums were expended by the men through their chosen caterers in purchasing and laying in stock of appetizing food, potatoes, pickles, &c. It formed the domestic life of the men. Unfortunately, the rate at which the provisions were paid for was fixed a long time ago, and the prices did not always correspond with the cost price. The difference was very large. Salt beef was paid for 3*d*. per lb. less than it cost; pork 2½*d*., and biscuit 2*d*. If the principle was good to enable the men to vary their diet in a manner most to their taste, surely the full price of the provision ought to be given. Instead of this £65,000 was saved by the transaction, and thus taken from the men. He would not go further into that question then; but he thought it was one of several requiring very attentive consideration. He hoped that all the facts brought out by the hon. Member for Reading would be carefully examined, and he had no doubt the number of desertions would soon be considerably reduced.

MR. HUNT said, that he felt the Committee was much indebted to the hon. Member for Reading (Mr. Shaw Lefevre), who had brought this subject under their consideration he was sure in no hostile spirit, but with an anxious desire to increase the efficiency of the Navy. He need not assure the Committee that the subject was one of constant and anxious attention, and that any plan by which desertions could be lessened would have due consideration. But he must say that the statistics before him did not bear out the fears or apprehensions expressed in some quarters. While looking at the number of desertions we ought also to look at the stations from which they occurred, and the statistics showed that there was no increase of desertion upon the home stations. In 1872-3 the desertions of the home stations were rather more than 3 per cent; in 1873-4 they amounted to nearly 4 per cent; in 1874-5, they were reduced to 3½ per cent. That was not an unreasonably large percentage, especially considering that nearly the whole of our seamen were taken as boys, when they had hardly realized what the kind of life would be and their views of their future career were not matured. On the foreign stations the statistics of desertion varied from next to *nil* up to a high rate, showing that it was not so much dislike of the Service as the nature of the inducements presented which led our seamen and Marines to desert abroad. Indeed, the temptations put before our men at some foreign stations were such as to almost make us wonder that more did not yield to these temptations. During the last year the desertions on the Mediterranean station were only 1 per cent of the Force. On the North American and West Indian stations they were 2 per cent; on the South-east Coast of America, 8 per cent; in the Pacific, 6 per cent; the Cape of Good Hope and West Coast of Africa, 1 per cent; the East India station, 1 per cent; China, 1 per cent; Australia, 17 per cent; in the Channel Squadron, 7 per cent; and the Detached Squadron, 2 per cent. On the whole, the proportion of desertions was not such as to show that the Service was unpopular. Captain Wilson, in his able paper, suggested that a certain number of men should be allowed their discharge after a few years' service, and thought they would come back. He (Mr. Hunt) did not quite see how that plan was to be carried out. If discharges were allowed on foreign stations, they must be allowed on home stations; but you would thus entirely break down the present system of early training and continuous service. This system had given us a finer and a better trained body of men than we had ever had before, and it would be imprudent to risk the success of this system by such a change as was proposed. It was said that Merchant seamen ought to be induced to enter the Navy, and the Committee had been told that wages in the Merchant Service were so high that the seamen would not leave that Service for the Navy. He (Mr. Hunt), however, did not think it was a question of pay, for the Committee must remember there was no such thing as pensions, the value of which had been estimated at 3*s*. a-week. Moreover, in the Merchant Service there was no continuous pay; the seaman was only paid for the voyage, at the end of which he had to shift for himself. It was not, therefore, fair to compare the pay in the Navy all the year round, with pension in reserve, with pay which might be higher while it lasted, but was only for the voyage. But it was not a question of pay alone, for unless you took sailors when young, they found the discipline irksome on board a man-of-war, and adults would not, therefore, often join from the Merchant Service. If anything could be done to induce men to come from the Merchant Service into the Navy, as a matter of economy, much might be said for the idea; but, at present, he could not see his way to induce them to do it. He thought the present system was going on very satisfactorily. They had a large body of men who were becoming trained in the use of arms and inured to discipline. On the subject of pay the hon. Member had admitted it was a difficult one; for him (Mr. Hunt) it was a delicate one; and he hoped he should be excused if, upon that occasion, he would rather not enter upon it. It was said—"The better the pay the less the number of desertions;" but there might be circumstances under which it was better to risk some desertions than incur greatly increased expenditure. With respect to the observations of the hon. Member opposite (Mr. Hanbury-Tracy) as to the depreciation of silver and the effect upon our seamen on East Indian stations, he was scarcely able to give any opinion at that moment, seeing that the Committee had not concluded their inquiries; but he hoped that ere long the matter would be settled in a way which did no injustice to the sailor. As regarded the savings on provisions, that was a difficult question, and it was a great question whether the men ought to be tempted to save more on their provisions than they did. They must be careful not to give the men too much inducement to refrain from a diet which was necessary for them. It was a question which required consideration; but, anxious as he was to proceed with the Votes in Committee, he hoped hon. Members opposite would excuse him if he declined to discuss these and other topics which had been referred to. In conclusion, he begged to assure the hon. Gentleman the Member for Reading, who had rendered good service in bringing this matter forward, that he should consider the suggestions he had made.

Mr. CHILDERS said, he thought the criticism of the right hon. Gentleman the First Lord of the Admiralty singularly fair; but there were one or two points upon which the right hon. Gentleman did not touch. His hon. Friend the Member for Reading suggested that a fewer number of boys should be trained, and that a certain number of men should be entered from the Merchant Service, together with an increase in the pay, in order to meet the evil of having too large a number of boys and young sailors and too few of greater age. There was one point on which they would all agree with the First Lord of the Admiralty, and that was to do nothing to weaken in any degree the admirable continuous system which had been built up during the last few years. He (Mr. Childers) was rather sceptical about the introduction of any considerable number of men from the Merchant Service. That Service was not more popular than the Navy, the *physique* and *morale* of the men was inferior, and on that ground he should not be disposed to look for very much increase from the Merchant Service. With respect to increased pay, an addition of 2*d.* per day would at one stroke add £250,000 a-year to the Estimates, while probably 10, 15, or 20 years would elapse before vested rights in the present rate of pensions would have been satisfied and any diminution could be expected. He was not quite sure that the Returns to which his hon. Friend had called so much attention proved his case with regard to desertions. He hesitated before he assumed that there was this very great increase of desertion during the last few years, and that it was to be attributed to the permanent causes which the figures would seem to indicate to the House. He admitted that if increased pay was necessary it ought to be given thoroughly, and in no niggardly spirit, but before adopting an alteration of that kind there should be a very careful preliminary inquiry, and they must do it on an intelligible principle. He should be the last to advocate anything which would tend to impair efficiency merely in order to effect a cutting down of expenditure. In some respects his hon. Friend (Mr. Shaw Lefevre) had made very valuable suggestions, and he hoped that next year, probably when the Estimates were produced, the House would learn that the First Lord of the Admiralty had given the subject due consideration.

Mr. BENTINCK said, he quite agreed that it would not be safe to rely on the Merchant Service for manning the Navy. Years ago there was a great affinity between the two Services; but they were now a distinct race of men, especially in their ideas of discipline. One of the chief causes of the deterioration of the Merchant Service was attributable to bad legislation, in doing everything that could be done to destroy discipline, and the Merchant Service was now reaping the fruits of that work. It would be impossible now to reconcile the differences that existed, and bring the two Services advantageously together. He was convinced that the so-called "delicate question"—namely, increase of pay, was one which they would soon be forced to deal with, the main cause of desertion, in his opinion, being insufficiency of pay. If Parliament wished for a good article in the market it must pay for it.

Mr. RYLANDS concurred with the right hon. Gentleman the Member for Pontefract (Mr. Childers) in thinking that while the scheme of the hon. Member for Reading (Mr. Shaw Lefevre) would involve an immediate increase in the Estimates, the saving to be effected by it was very remote. He thought it would be better not to train so many boys every year; but only a sufficient number to meet the actual wants of the Navy. He objected to the scheme of naval barracks on account of the expense without the probability of a corresponding benefit. It would be better to reduce the number of men and boys, and trust to the Reserves in case of an emergency.

Mr. GOSCHEN agreed with the right hon. Gentleman opposite that to a great extent the absence of desertions on the home stations proved that it was not the unpopularity of the Service, but that there were peculiarities in certain foreign stations which caused desertions. It was recommended that they should have naval barracks to prevent desertions; but it was remarkable that at Sheerness, where there were such barracks, there were more desertions than at Portsmouth and Chatham, where they did not exist. With regard to the Marine Artillery, he thought that unless there was a real intention of dealing with it, the fewer disturbing suggestions that were thrown out respecting it the better. That corps, of which he had a high opinion, seemed always to be the subject of schemes of one kind or another, and never to know whether it was to be permanent or not. Desertion on foreign stations was a very serious evil, and in order to diminish it, he thought it would be well to diminish the number of ships sent to those stations, unless they were most urgently needed. He suggested that a corvette might be sent to the Pacific station, instead of the frigate *Shah*. He begged the First Lord of the Admiralty not to send out more ships than were absolutely required for the service to the South American and the Australian stations, on which there were so many desertions. Again, it was surprising that the desertions from the Channel Squadron should be so excessive, while the proportion at home was only 3 per cent, and he thought the desertions from the Channel Squadron must practically be added to those in this country, because the stations to which that Squadron generally proceeded made it highly improbable that many of the desertions from it occurred abroad. He also hoped that the admirals and captains would be requested to ascertain the cause of them; and that a remedy would be found to prevent them in future. While he entirely approved the present system of training our sailors from boys, and while he thought the continuous-service system must be maintained, if possible, yet the present system was attended with this drawback, that it had no expansion whatever in it. If, therefore, they could establish a relation between the Mercantile Marine and the Navy in the way of enlisting men from the former to a limited extent, a great advantage would be gained.

Sir JOHN HAY said, that there were certain revolutionary States on the Pacific which were continually in a condition of ferment; and not 10 years ago, at Valparaiso, a very distinguished officer in command of a wooden frigate found himself in a position in which it was necessary for him to protect British interests in that port, but he was deprived of the power of doing so because his ship was incapable of meeting the iron-clads of a revolutionary State. The Government then in power therefore thought it requisite to send an iron-clad to those waters, and he (Sir John Hay) thought one was equally necessary now. [Mr. Goschen: The *Shah* is not an iron-clad.] If she was not an iron-clad, she was a very powerful vessel. With regard to the Marine Artillery, the reduction of that Force by the late Sir James Graham was, in his opinion, a most unfortunate proceeding; and he regarded as undesirable the suggestion of such changes as had been recommended that evening in regard to that corps. When they had got men so highly trained and valuable they ought to keep them. With respect to obtaining men from the Merchant Service, it would be desirable to obtain them, but he did not know how it was to be done; and, therefore, he hoped that the First Lord of the Admiralty would think twice before he made any alteration in the number of boys entered for the Navy, or in the way in which he was training them.

Mr. E. J. REED thought the right hon. and gallant Gentleman who had just sat down (Sir John Hay) failed to see the force of what had been said by the right hon. Gentleman the Member for London in respect to placing a smaller class of vessels on the Pacific station. He (Mr. Reed) understood that the desire of the right hon. Gentleman the Member for London was, that the Government were not to weaken the naval force on the South American station, but to have a strong ship there with a comparatively small number of men. He wished to point out that the expenditure upon ships in proportion to the amount expended upon men was largely and continually increasing. In that view he had this year felt bound to suggest that the number of men should be reduced, and the proper answer to that would be for the Government to show that the number now asked for was requisite. The fact, however, now stared them in the face that, in order to keep up the number of men, they were going to send a large proportion of those men upon a ship, which was far from being efficient as a flag-ship, and which was to be placed on a station where desertions were very numerous. The *Shah* had in her armament miserably small guns, considering the nature of the service for which she was intended.

Sir ANDREW LUSK said, he could not see the wisdom, as it was common to do, of parading the number of desertions in our Army and Navy before the world. The desertions of seamen when they arrived at places where wages were high did not appear to him at all remarkable. He denied that merchant sailors were inferior to sailors in the Royal Navy; and there never was a time when merchant ships were so good and efficient or made such rapid passages as at the present time. It was not fair to disparage the Merchant Marine. The Royal Navy might be proud if it had made equal progress.

Mr. SHAW LEFEVRE said, he had every reason to be satisfied with the discussion and the friendly tone in which it had been carried. He dissented from the opinion that there would be no saving until a distant day from the adoption of his plan. He should like to know whether the Admiralty had considered the expediency of extending to the Marines the proposal as to deferred pay, and also what was the number of disposable seamen in our home ports?

Mr. HUNT said, that no decision had been come to on the subject of the pay of the Marines. He was unable to give the exact number of men disposable, but he thought it was about 4,000.

Vote *agreed to.*

(2.) £1,153,367, Victuals and Clothing.

Mr. HUNT explained, in reply to Mr. Goschen, that an increase of £10,000 in the Vote was due to the increased number of men receiving the allowances; but there was a decrease under provisions of £8,000.

Vote *agreed to.*

(3.) £189,820, Admiralty Office.

Mr. T. BRASSEY said, he should like to see a larger number of naval officers, such as captains of the Navy, receiving remuneration under the Vote, as that would enable the Sea Lords of the Admiralty to devote greater attention to questions of construction and other matters of importance. Such a change would, he thought, be attended with great public advantage. The Staff of naval officers at the Admiralty was very small, as compared with that of the Secretary of State for War, and perhaps the right hon. Gentleman might be able in the next Estimates to give some effect to the suggestion.

Mr. E. J. REED inquired whether the Staff of the Director of Naval Ordnance was completely represented in the Estimates, or whether he had the assistance of other officers who did not appear in the Estimates; and also, whether the Director of Naval Ordnance was under the Controller of the Navy in all respects? He asked also if the timber Inspectorship, which had a great salary attached, was an office intended to be kept up in these times? Another office to which he wished to direct attention was that of Director of Works. It was a most anomalous post. It was held by a military officer, and the duty of constructing docks was imposed upon him, although he and his department had no relationship and no consultations whatever with the Constructor's department as to the sort of ships likely to be constructed. There were estimates to be taken for new docks at Devonport; were they to be constructed by this officer without the control of the Naval department at all? Ships had been commenced of extraordinary proportions, and he would ask whether the docks at Devonport were to be constructed with any relationship to the vessels to be built?

General Sir GEORGE BALFOUR said, that the office of Director of Naval Ordnance held by a naval captain appointed by the Admiralty and sitting in their own office was a most anomalous office. Formerly the Director, though a naval officer, sat in the War Office, and acted under the Secretary of State, who in some degree was able to exercise some check over the demands of the Admiralty for guns for our ships of war. But on the discontinuance of this office from the War Office, the Admiralty at once created in their own branch a new office of Director, but carefully abstained from relieving the Army Estimates of the expenses for the naval guns. He had complained of it for years, and for this reason—that that naval officer was allowed, almost without any control, to swell the Army Estimates by his demands for stores for the Navy. In this way the military expenditure had been swelled up by millions during the last 17 years of perpetual changes in the armament of the Navy, and which would not have taken place if the Admiralty had borne these expenses on the Naval Estimates. The evil was once about to be remedied; but the right hon. Gentlemen below him (the Liberal Party) came into power, and then all his hopes were at an end. The remedy was to transfer to the Navy the charge and custody of their own guns and stores, and to give over to the Army the charge and management of their own Transports. An examination of these two accounts would show the wasteful way in which the respective Departments swelled up these several accounts, necessarily left without check or control.

Mr. HUNT said, the Director of Naval Ordnance was in all respects under the control of the Admiralty. As to the Director of Works, he could bear testimony to the meritorious way in which the officer who now held that appointment discharged his duty. Such an officer ought, of course, to be under the control of the Admiralty; and as to the construction of docks he, of course, could not say what took place when the hon. Member for Pembroke (Mr. Reed) was in office; he (Mr. Hunt) should never think of sanctioning any works of that sort without consulting the Constructor's department. The proposed docks at

Devonport would be constructed by the Director of Works, but the plans had been submitted to the Constructor and Controller of the Navy.

SIR ANDREW LUSK said, he would like to know what was the cause of this increase of £6,000 a-year for one office?

MR. HUNT said, that £4,000 was for the progressive increase in the salaries of the officers, clerks and writers. Then there was an increase in the salary of the Director of Works; £1,200 for the re-organization of the Naval department, a matter which had been a long time under consideration, and there was also an increase for travelling expenses, which depended on the shipbuilding programme, which this year was larger than usual.

MR. GOSCHEN said, he could bear out the right hon. Gentleman in saying that there had been various applications for an increase of pay and an assimilation of salaries to those of the War Department; but those applications did not only come from the Naval department, but from other departments of the Admiralty. It was undesirable to deal piecemeal with this question, and when he was in office he was anxious to do away with the idea that there was any special preference given to the Naval department. He should like to know what was the nature of the re-organization of the department, and what increase was made to the salaries?

SIR MASSEY LOPES said, that in the Naval Department of the Admiralty the first class clerks were to get an increase in their salaries from £900 to £1,000, and were for the future to be styled principal clerks, being, in fact, the Heads of Departments. The second class clerks were to get an increase from £550 to £650, and were to be styled first class clerks. The third class clerks were to get an increase from £350 to £420, and were to be styled second class clerks. This classification was adopted from that of the Treasury and other principal Government Offices. There was a distinct promise made to the secretariat of the Naval Department when a large reduction was made in the Staff, that the salaries of those who remained should be increased, and the Government was now only doing justice in fulfilling that promise. In the Departments of the Admiralty outside the Naval Departments, the difference existing between their salaries and those of the War Department was regarded as a grievance; but it was hoped that some alteration would be made which would prove satisfactory.

MR. E. J. REED said, he did not question the ability of the Director of Works, who was a very able man and a most zealous officer, but he objected to the system which enabled him to initiate his scheme for docks.

MR. GORST observed that the second-class clerks, whose salaries were raised to £650 a-year, would be actually in a better position than the first-class clerks, in whose salaries no change had been made. That would naturally cause dissatisfaction, and it illustrated the inconvenience of dealing piecemeal with the department.

MR. CHILDERS said, that when he was at the Admiralty, it had always been the custom to go through all the Estimates of the Director of Naval Ordnance, who had no power to expend a single shilling until they had been examined and approved of. He believed his right hon. Friend (Mr. Hunt) followed the same rule. As to the Director of Works, he had when in office paid considerable attention to the proposal that he should be an officer in the Controller's department, but the difficulty was that he had a great deal of duty to do which was in no way connected with the Controller's department. It was quite true, as had been stated by the hon. Baronet the Civil Lord of the Admiralty (Sir Massey Lopes), that when a reduction was made in the staff of the Naval department a promise was given to the clerks who remained that their salaries should be increased..

Vote *agreed to.*

Resolutions to be reported.

Motion made, and Question proposed,

"That a sum, not exceeding £210,230, be granted to Her Majesty, to defray the Expenses of the Coast Guard Service, Royal Naval Reserve, and Seamen and Marine Pensioners Reserve, and Royal Naval Artillery Volunteers, which will come in course of payment during the year ending on the 31st day of March 1877."

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Rylands.*)

MR. HUNT hoped the Motion would not be pressed, as he believed there was no Amendment proposed to the Vote. He wished to point out that there was an important Vote before them which it was desirable to take without delay—namely, Vote 10, Section 2, for "Steam Machinery and Ships built by Contract."

MR. GOSCHEN said, that the Shipbuilding Vote was the most important Vote in the Estimates, in which there was an increase of £500,000; and, therefore, he did not think an appeal could be made to hon. Members to abstain from discussing it.

SIR JOHN HAY said, the second section, Vote 10, might be taken on the full understanding that full opportunity should be given for full discussion on the other Votes.

MR. GOSCHEN was of opinion that that could not be done without involving assent to the entire shipbuilding programme of the right hon. Gentleman.

MR. E. J. REED said, that a month must be lost if they did not that night take Vote 10, and it was as much the duty of the House as that of the Government to advance the public service.

MR. T. BRASSEY hoped the First Lord of the Admiralty would undertake to bring on the Estimates at a reasonably early opportunity, so that they might not have to discuss those important questions, as was sometimes the case, at the end of the Session.

MR. GOSCHEN thought the Committee had good reason for protesting against the position in which they were placed through the action of the Government in being called upon either to vote, without debate, an increase of, as he had said, £500,000 to the Estimates once for all, or to be exposed to the reproach of interfering with the public service. They were asked to vote the money first and afterwards to discuss the style of ships to be built, which were to be ordered at once, in order to save a month. Many hon. Members on his side of the House felt that this money would be better spent upon ironclads than upon gunboats and corvettes.

MR. HUNT said, he had understood that his right hon. Friend the Member for Pontefract wished to say something about the Naval Reserve department, and perhaps the Committee would not object to sit a little longer as they were going to have a holiday. However, he felt the force of what had been said by the right hon. Gentleman the Member for the City of London, and he should agree not to go on with Vote 10 if the Committee would not complain if he took upon himself the responsibility of ordering six more river gunboats in the meantime.

MR. CHILDERS said, he must decline to enter upon such a discussion at that hour. What the right hon. Gentleman proposed would not be objected to.

Question put, and *agreed to.*

House *resumed.*

Resolutions to be reported *To-morrow,* at One of the clock;

Committee also report Progress; to sit again upon *Monday* 24th April.

HIGHWAYS BILL.

LEAVE. FIRST READING.

MR. SCLATER-BOOTH, in moving for leave to bring in a Bill to amend the Law relating to the management of Highways, said, its main object was to leave the management as much as possible to the various local bodies, so that they might adapt its powers to the wants of the various localities, while at the same time means would be provided for introducing, as far as possible, a uniform system of supervision and accounts. Power was also given in the Bill to make bye-laws to provide for a great deal that was now done under the Turnpike Acts.

MR. DILLWYN inquired if the Bill would apply to South Wales?

MR. SCLATER-BOOTH said, some of the provisions would apply to South Wales. In general there was no wish to break up the South Wales' system, which had worked very well.

Motion *agreed to.*

Bill to amend the Law relating to the management of Highways, *ordered* to be brought in by MR. SCLATER-BOOTH and MR. SALT.

Bill *presented,* and read the first time. [Bill 129.]

POOR LAW (SCOTLAND) BILL.

LEAVE. FIRST READING.

THE LORD ADVOCATE, in moving for leave to bring in a Bill for the further amendment and better administration of the Laws relating to the Relief of the Poor in Scotland, said: In the year 1871 a Select Committee of the House of Commons was appointed to inquire into the operation of the Poor Law in Scotland, and whether any, and what, amendments should be made therein. There were referred to the Committee the Minutes of Evidence which had been taken by Select Committees on the same subject in the Sessions of 1869 and 1870. The Committee presented a very full Report, containing a number of recommendations for the amendment of the Scottish Poor Law. I have very carefully considered these recommendations, and the Bill which I now ask leave to introduce gives effect to the larger number of them. The evidence which was taken by the Committee and its Report were very favourable to the administration of the Board of Supervision in Scotland, and proposed to confer upon them more extensive powers than they now possess, particularly in the way of initiating proceedings under the Poor Law Acts. The Bill accordingly provides for greater powers being conferred on the Board of Supervision in several particulars. In regard to the constitution of parochial boards, after very careful consideration I have not seen my way to make quite such extensive changes as were recommended by the Select Committee. In regard to the elected members of every board, I propose that they should continue in office for three years, one-third going out of office annually by rotation. That is the only change that I propose to make in regard to parochial boards in burghal parishes. In regard to the parochial boards of rural parishes, where the number of owners is small, I think the present system has worked so well that I do not propose any further change except the introduction into them of a certain number of the larger tenants without the necessity of election. In rural parishes, where the number of owners, entitled, as such, to be members of the board, exceeds 30, the Bill proposes considerable alterations in the constitution of the board in the way of limiting the number of members, very much in the way recommended by the Select Committee. It is proposed that in all assessed parishes there shall be a compulsory classification. In regard to the 37th Section of the Poor Law Amendment Act, the Committee recommended that it should be repealed, and the rates imposed upon the gross valuation as appearing on the Valuation Roll. I believe that change will be very convenient for the parochial authorities, and the Bill gives effect to it. The Board of Supervision will have the power in sanctioning classifications to secure that the assessments are imposed equitably upon different classes of property. In regard to settlement the Bill proposes two changes—in the first place, correcting what is believed to have been an unintentional enactment in the Act of 1845, a settlement by five years' residence will not hereafter be lost except by five years' absence. In the second place, where a settlement has been acquired by 10 years' residence, it will not be lost except by the acquisition of another settlement by a residence in another parish for a similar period. Cases relating to disputed settlement will be made competent only in the Sheriff Court, it being competent to state a special case on a question of law for the decision of the Court of Session. Provision is made for the superannuation out of the poor rates of Poor Law officers with the consent of the Board of Supervision. This system has worked well in England and Ireland, and tended to the efficiency of the officers. Each parish must appoint a medical officer, removable only with the approval of the Board of Supervision. The Bill further provides for an efficient audit of the accounts of parochial boards by auditors appointed by the Board of Supervision, the salaries of the auditors being paid by the Treasury. The Treasury will also pay one half of the total amount expended in salaries to medical officers, and in providing medicines, &c., for the poor in the same manner as is now done in England and Ireland. These are the leading provisions of the Bill, but there are others of minor importance which I need not refer to at present, and I will conclude by moving for leave to bring in the Bill.

Motion *agreed to.*

Bill for the further amendment and better administration of the Laws relating to the Relief of the Poor in Scotland, *ordered* to be brought in by The LORD ADVOCATE and Mr. Secretary CROSS.

Bill *presented*, and read the first time. [Bill 130.]

TREASURY SOLICITOR BILL.

On Motion of Mr. WILLIAM HENRY SMITH, Bill to incorporate the Solicitor for the affairs of Her Majesty's Treasury, and make further provision respecting the grant of the administration of the estates of deceased persons for the use of Her Majesty, *ordered* to be brought in by Mr. William Henry Smith, Mr. Chancellor of the Exchequer, and Mr. Attorney General.

Bill *presented*, and read the first time. [Bill 128.]

House adjourned at
One o'clock.

HOUSE OF COMMONS,

Friday, 11*th April*, 1876.

MINUTES.]—Supply—*considered in Committee*—Navy Estimates—*Resolutions* [April 10] *reported.*

The House met at One of the clock.

PARLIAMENT—PRIVILEGE—IRREGULAR PETITIONS.—QUESTION.

Mr. CALLAN, having on the Paper the following Notice—"To ask the hon. Member for North Warwickshire, Whether the signature affixed to the Petition in favour of the Monastic and Conventual Institutions Bill, from Newark, Leicestershire, has been affixed by him, or by any person authorised on his behalf to do so; and, whether the alleged forged signature to the Petition from Chatham, which the hon. Member has disowned, is not in the same handwriting as that appended to the Petition from Newark and the rejected Petitions from Broadstairs, Kensington, and Avebury?"

Mr. SPEAKER: With reference to the Question on the Paper, of which Notice has been given by the hon. Member for Dundalk, I have to point out to him that that Question applies specifically to a Motion of which he has given Notice, and which stands on the Orders as to the Monastic and Conventual Institutions Bill (Chatham Petition); and, according to the practice of the House, it would not be regular to anticipate by a Question the discussion of the Motion of which Notice has been given.

Mr. CALLAN: That being so, I beg to ask the hon. Member for North Warwickshire the Question of which I have given Notice.

Mr. SPEAKER: I have to point out to the hon. Member that the latter part of that Question is out of Order, as it applies to the Motion of which the hon. Member has given Notice.

Mr. CALLAN: I will leave out Chatham altogether.

Mr. SPEAKER: The first part of the Question the hon. Member is entitled to put; the latter part is out of Order.

Mr. CALLAN: I beg, then, to put the first part of the Question to the hon. Member for North Warwickshire.

Mr. NEWDEGATE: What do you ask?

Mr. CALLAN: I have to ask the hon. Member for North Warwickshire whether the signature affixed to the Petition in favour of the Monastic and Conventual Institutions Bill from Newark, Leicestershire, has been affixed by him or by any person authorised on his behalf to do so?

Mr. NEWDEGATE: Inasmuch as it would be impossible for me to explain the circumstances which must form part of my answer within the limits assigned to an ordinary Question put in the House, I must defer that answer until the adjournment of the House has been moved.

Mr. DISRAELI: I move that the House, at its rising, do adjourn until Monday, the 24th April.

Mr. NEWDEGATE: The course pursued by the hon. Member for Dundalk with reference to the Notice he has given has been so unusual that it is impossible I could fairly answer his Question unless I have an opportunity of explaining all the circumstances connected with my part in the transaction to which the Question refers. It will be in the recollection of the House that on Thursday last you, Sir, called my attention to a Petition from Chatham to which I found my signature, or what purported to be my name though it was mis-spelt, had been attached. I had never seen that Petition, but finding that my name was mis-spelt I concluded that it had been improperly attached without my authority, and I moved that the Order for its reception be discharged as a Question of Privilege. On Friday I found that the hon. Member for Dundalk had given Notice for a Committee of Inquiry into my conduct with respect to that Petition. Everything in which I am concerned with these Petitions is one transaction; and when the hon. Member came down and called the attention of the House to three similar Petitions to which my name was attached as a Question of Privilege, I was not in a position then to say whether my name had been attached to the Petitions from Broadstairs, Kensington, and Avebury by any person having my authority.

Mr. SPEAKER: I have already stated to the hon. Member for Dundalk that putting a Question anticipating the discussion on a Motion fixed for consideration at a future time is against the practice of the House. The hon. Member for North Warwickshire is now discussing a matter relating to that Motion, and I am bound to lay down the same rule with respect to him as with regard to the hon. Member for Dundalk—that any discussion of the subject of a Motion set down for a future time is premature and opposed to the practice of the House.

Mr. NEWDEGATE: I bow, Sir, to your decision; I wished you to judge whether my explanation could come within the Rule which you have laid down; and I defer my remarks until the Motion of the hon. Member for Dundalk comes on.

LAND TENURE (IRELAND) BILL—RESUMPTION OF THE DEBATE.

QUESTION. OBSERVATIONS.

Mr. BUTT: I wish to avail myself of this opportunity of asking the right hon. Gentleman at the head of the Government a question as to the course to be pursued in reference to the Land Tenure (Ireland) Bill. It will be remembered that on Wednesday week I moved the second reading of that Bill. The discussion went on till about half-past 5, and then the right hon. and learned Gentleman the Member for Londonderry (Mr. Law), who was one of the Law Officers of the late Government, moved the Adjournment of the Debate, and he did so on the ground that it was essential that the Members of the late Government should be enabled to state their views on the Bill. The right hon. Gentleman at the head of the Government rose and said it was perfectly fair that Members of the late Government should have such an opportunity, and he therefore consented to the Adjournment. I certainly understood at the time that his consent implied that an opportunity should be given by a day being afforded for the adjourned debate to take place. I have been asked why I do not fix a day myself; but on looking at the Order Book I find that it is utterly impossible for me to find a day, at all events, before the latter end of July; and I think that, under the circumstances, I am not asking too much when I ask the right hon. Gentleman to give me some assurance that an opportunity shall be given for the adjourned discussion. I am aware that the state of Public Business will not allow of a day being given for some time; but I think he might promise us that a reasonably early day should be given. The question is one that is exciting great interest in Ireland. Petitions from corporate bodies and from Poor Law Guardians are every day coming to this House upon the subject, and even on that ground it is desirable that the matter should be speedily settled. The noble Lord opposite (Lord Elcho) has declared the measure to be a Bill of Confiscation; and if so, the sooner the House decides on the question and declares it to be so the better. I must, therefore, press the right hon. Gentleman to give me an opportunity for resuming the discussion at a convenient period before the Session closes.

Mr. DISRAELI: I think the inference drawn from words by the hon. and learned Gentleman is rather a wide one. The circumstances of the case are these —When the Attorney General for Ireland under the late Government moved the Adjournment of the Debate on Wednesday week, it was 16 minutes to 6, and, therefore, it was virtually impossible for him to state his views and those of his late Colleagues upon a subject the importance of which I never denied and am not now denying. But at that time Her Majesty's Government had had an opportunity of stating their views, and the Adjournment of the Debate was according to the wishes of those who represented the late Government. The hon. and learned Gentleman must know very well that, in the present state of Public Business, it is quite impossible for me to tamper with the time allotted to the Government to carry those measures which are necessary. Those who represent the late Administration, however, are deeply interested in the subject. It is they who wished to state their views upon the Motion of the hon. and learned Gentleman; and I cannot doubt that Gentleman on the front bench opposite, who have so large an influence in this House, and who are supported always by so many Friends, can make arrangements to meet the wishes of the hon. and learned Gentleman.

Mr. MELDON: On the Motion for the Adjournment of the Debate there was no opportunity given to the hon. and learned Member for Limerick to state his view of the subject. The moment the right hon. and learned Member for Londonderry sat down the Prime Minister got up, admitted the importance of the question, and consented forthwith to the Adjournment. The question, therefore, really stands in this way — the Motion for the Adjournment was made by the right hon. and learned Gentleman on this side of the House and consented to by the Prime Minister, who said at the time that it was a reasonable proposal. The debate was therefore adjourned through the mutual arrange- of the two front benches, and the impression left on the minds of hon. Members here supporting the Bill was, that another opportunity would be given for renewing the discussion. For that reason we abstained from taking the vote which we might then have taken. I think the Prime Minister is under a wrong impression when he says it was 16 minutes to 6. My impression is that the Adjournment of the Debate was moved at half-past 5 o'clock. ["No, no."] At all events there would have been ample time for a division: but we were thrown off our guard by the two right hon. Gentlemen who arranged the Adjournment of the Debate.

Sir PATRICK O'BRIEN: This question ought, I think, to be put on a much broader basis than that of agreement and disagreement as to a particular day. Whatever views hon. Members may entertain on this Bill, there can be no doubt it has created great excitement among the people of Ireland. Many hon. Members of this House are strongly in favour of the Bill, and, judging by the speech of the noble Lord (Lord Elcho), others have a strong antipathy to it. Putting aside all question as to what agreement there may have been, and regarding the Bill as a matter of the greatest possible interest in a very large proportion of Her Majesty's dominions, I put it to the Government whether such a great Imperial question ought not to be decided by the House, and not left floating about for 12 months creating agitation in Ireland. In the interests of peace in that country, and for the sake of having the opinion of this House expressed broadly on this question, which is one above all others demanding the attention of the House, I think the Government ought to afford an opportunity for the renewal of the discussion.

Motion *agreed to.*

House at rising to adjourn till *Monday 24th April.*

SUPPLY—REPORT.

Resolutions [April 10] *reported.*

THE SUEZ CANAL—MODIFICATION OF THE CANAL DUES.—OBSERVATIONS.

Sir H. DRUMMOND WOLFF rose to call attention to the negotiations on this subject between Colonel Stokes and M. de Lesseps. He said, he was sorry that by some oversight of the printer his Notice did not appear in the Paper this morning. It was desirable that some reference should be made to this question before the general meeting of the shareholders at Paris. He did not see why the Government should show such reticence on the subject. The nature of the negotiations which they were carrying on was known in every Court of Europe, and had been much and amply discussed. In fact, it was the *secret de Polichinelle.* There were times during negotiations between the Government of England and a foreign Government when it was advisable to maintain great reserve in Parliament; but in this case the Government were not negotiating with France, but by an inferior, though able, official, with the Chairman of a limited Company in France, with regard to the management of a Canal of which we were nearly half owners. Even in negotiations with foreign Powers it was sometimes desirable that the voice of Parliament should be heard. Before the Crimean War appeals were constantly made to Members not to bring the question before the House. Before the Conspiracy Bill Lord Palmerston constantly asked Members not to discuss the subject in Parliament, and that question ended in the destruction of Lord Palmerston's Government, which he hoped would not be the result in the present instance. The same course had been pursued during the negotiations as to the Alabama Claims, and the result had been one which was not received with enthusiasm by the country. The Government had allowed their subordinate official to make arrangements with the manager of the Canal Company which would be most damaging to our interests, and which would have the effect of destroying all the enthusiasm excited in the country by the purchase of the Canal shares, and therefore he thought it right that the attention of the House should be called to the matter. He was sure that nothing would be said in this House of France but words of cordial friendship and of neighbourly sympathy, with admiration, and, he might say, gratitude, to M. de Lesseps and the shareholders of the Canal for their courageous and enterprizing spirit. It appeared that those arrangements were —First, that M. de Lesseps accepted the decision of the International Commission which met at Constantinople; secondly, that the English Government undertook to negotiate for the gradual diminution of the surtax at the rate of half a franc a-year until 1884. M. de Lesseps further undertook to spend 1,000,000 francs a-year for 30 years on works for the improvement of the Canal; and he withdrew his protest against the arrangements of the International Commission; and, lastly, we, the owners of half the shares, were to be allowed to have three directors out of 24 on the Board of Direction. Now, he would ask, what benefit did we expect to derive from M. de Lesseps accepting the decision of the International Commission and withdrawing his protests? That decision had been imposed upon M. de Lesseps, and he had been obliged to accept it. Were we to go to foreign countries and ask them to allow M. de Lesseps to impose his terms upon them instead of those of the International Commission? M. de Lesseps undertook to spend 1,000,000 francs on the Canal for 30 years. Sir Henry Elliot, however, on the high authority of M. de Lesseps had written home that 40,000,000 of francs were required for repairs, of which 30,000,000 ought to be spent immediately, and the remaining 10,000,000 afterwards. But because M. de Lesseps withdrew his protest we were to allow those 30,000,000 to be spent not immediately, but in the course of 30 years, and not a word was said about the extra 10,000,000 francs necessary for the completion of Port Saïd. He would now ask the House to consider the question of the three directors. What was the meaning of having these directors at all? We had bought shares, but they were shares which would bear no dividend for the next 20 years. All that we could receive up to that period for these shares would come from the Viceroy of Egypt. What, meanwhile, would we have to do with the administration of the Canal? All that was necessary was for the Company to keep up to its *cahier des charges;* and the Viceroy had engaged to see that they did so, and had a comptroller empowered to carry out that object. How, and in what way, were these directors to assist us? The Company could do nothing in secret. The French directors only carried on the Company for the benefit of the French shareholders, and they were not likely to do anything to damage the Canal. But our three directors would have no influence at all in the administration of the Canal. He did not know that they would be men of much greater ability than the other directors; but there would be opposed to them no fewer than 21 French directors, and on every question in which our views diverged from those of our fellow-shareholders resulting in a division we should only have three votes as against these 21. In all these cases the minority would necessarily be bound by the majority. What were these three so-called directors to represent? Nothing whatever except shares which brought no dividend, and to see that arrangements were carried out without having any power to discharge this duty. Let them recollect what the real position was. In the case of all limited companies all appeals from the decisions of the Board were reviewed by the general meeting. Well, what power would we have at a general meeting? We had only 10 votes out of he did not know how many hundred votes of the Company. Were our three directors to see that the 30,000,000 of francs were properly applied? What were they to do that under the circumstances? The Committee of Direction consisted of five members. He did not know whether we were to have one representative on that body. They had powers of the widest administration, and submitted their plans to the 21 directors. If we had one of five members of the Committee of Direction we should still be in a minority of one to four in this Committee, of one to seven in the General Board, and without any force whatever at the general meeting. We could not bring in the power of the law without the consent of the general meeting, and an appeal would only lie to the French tribunals. He referred to the letter of Sir Daniel Lange on the 18th of April, 1871, addressed to Earl Granville, in which he stated that M. de Lesseps recoiled with aversion from the proposition to admit British influence into the management of the Canal, and declared that he never would be a party to transfer its control from French hands, though he might allow the appearance without the actual possession of power. In 1871 the French Company were prepared to give us a larger number of directors, but now, after purchasing one-half of the shares of the Canal, after spending £4,000,000 and creating an excitement over all Europe, we were only to have three out of 24 directors. Some time ago he gave Notice of a Motion for an Address, with the view of inducing some step on the part of the Government for placing the Canal under international control. That he felt to be a very delicate question; he would, therefore, only allude to it casually. It was not a new question. In a book recently published by M. de Lesseps, an account was given of a conversation he held some time ago with Prince Metternich, in which that statesman said that the Viceroy of Egypt would place himself in an excellent position towards Europe by proposing to the Allied Powers to send Plenipotentiaries to Constantinople to regulate by Convention the perpetual neutrality of the Canal. It was clear that this view of the matter was adopted by Her Majesty's Government long before they entered into negotiations for the purchase of the shares, and was also adopted by M. de Lesseps himself. This question of the desirability of making the Canal international had been put forward by the Board of Trade in 1871; it was also favoured by the Italian Minister, Visconti Venosta, and by Lord Derby in his communication to M. D'Harcourt. Yet they were now to be satisfied, after the purchase of these shares, with the withdrawal of M. de Lesseps's protest against the tariff fixed by the International Commissioners at Constantinople, and the offer to give three directors to represent two-fifths of the Canal shares. When the Government took the important step of purchasing the shares in November last the whole country supported and applauded them; but since then they appeared to have been intimidated by the comments of hon. Gentlemen opposite, and it appeared as if, on a question of foreign policy, the Conservative Government were conducted as the Conservative Party had been when they were in a minority in that House. Having taken that great step, he had no doubt they would obtain the further support of the country and the concurrence and sympathy of other nations if they would buy out the other shareholders of the Canal and render it a great international highway. But if they chose to listen to the tremulous advice of weak-kneed counsellers they would turn what had been a great political success into a mere financial complication.

THE CHANCELLOR OF THE EXCHEQUER: I always listen with pleasure to any remarks that may fall from my hon. Friend who has just sat down. There is no man who has given more attention to this question, and we know that he has adopted views with regard to it which he expounds with very great ability, and that he enters upon all matters connected with it with a spirit of patriotic fervour, and, at the same time, with an earnest desire for the success of that which is one of the greatest works of modern times. Therefore, we listen with very great interest to anything that falls from him on the subject, and I certainly cannot at all complain on behalf of the Government of the speech which my hon. Friend has made to-day. I regret that it has been my duty more than once to ask my hon. Friend not to bring forward some part of this question at present, and I still regret that it is not in my power, consistently with what I feel to be my duty, to follow him into the discussion to which he invites us, although I may assure him that what he has said has our attention, and will certainly be carefully considered. I think he has a little exaggerated some of the matters to which he has referred; but I am disposed to agree with him in principle in other points with regard to the future management of the Canal. The negotiations, as my hon. Friend calls them, between Colonel Stokes and M. de Lesseps respecting the representation of British interests upon the Direction of the Canal were spoken of by my hon. Friend upon information which, as he truly said, was derived from outside authorities. [Sir H. Drummond Wolff: I beg pardon; you yourself told us of the three directors.] Yes; but my hon. Friend has used the expression "*secrets de Polichinelle*," secrets known to all the world. Yet my hon. Friend himself was not and could not be fully informed upon this subject, because, after all, this is not a matter in which Colonel Stokes and M. de Lesseps can settle anything. They may usefully discuss—as they have discussed—arrangements which might or might not be ultimately adopted; but it does not lie with those two distinguished gentlemen to enter into arrangements that should be in the nature of even preliminary binding engagements. It is necessary that there should be various important persons consulted. For example, no alteration can be made in the statutes of the Company without the consent of the Khedive. Then it is necessary also, with regard to some parts of this arrangement, that we should have the consent of the Porte; and with regard to others, that we should have the consent of the maritime Powers interested in the navigation of the Canal—Powers which were all, I think, or most of them, represented at the Conference of Constantinople, and who, in regard to this question, are more or less interested. It is impossible for us, at the present moment, to enter into discussion, because we have not as yet carried the correspondence to its legitimate and natural end. As to the question of the surtax, and the proposal of M. de Lesseps, on behalf of the Company, to withdraw his opposition or protest against the decision come to at Constantinople, we are in communication with foreign Powers. My hon. Friend speaks as though in this matter the proposals to modify the surtax and to ask M. de Lesseps to withdraw his protest had their rise in the purchase of the Suez Canal shares; but that is not the case, for these matters were going on long before the purchase of the shares was thought of, and when the proper time comes the reasons for re-opening the question whether the arrangements made at Constantinople should be modified will be stated to the House. But it is impossible that we can discuss these matters without having the Correspondence and the Papers before us; and while it is reasonable, and perhaps advantageous, that my hon. Friend should state his views, we feel that it would be wrong and injudicious that we should follow him into a discussion of these points in the present state of the information which is in the hands of the public. I will only say, as to there being only three directors, I think my hon. Friend a little too hastily assumes that there will be 21 directors on the one side, and three directors—should that be the arrangement, which, however, is not settled—on the other, always voting against the 21. I do not think that is by any means to be always anticipated; and I will remind my hon. Friend that in the original constitution of the Suez Canal Company the intention was that the number of directors should be 32, the object assigned being that there should be representatives of the different nationalities who were interested in the Canal. Inasmuch, however, as no nationalities claimed representation, the number was reduced to 21; and this proposal is partially in the direction of a return to the proposal for the original constitution of the Company. I do not wish to enter into any discussion on the subject. For my part, I have always said, and I feel now as I did at the beginning, that it is of comparatively little importance what the particular representation of England should be upon the Direction of the Canal. I believe that the great importance of the step that was taken when we purchased the Suez Canal shares was wholly irrespective of any of these minor arrangements. I believe that at the moment when we agreed to purchase these shares the affairs of Egypt were in such a position that the great property, in the maintenance of which England and the civilized world had so large an interest, was, to a certain extent, in danger of being sacrificed, or of falling into hands in which it might have been inconvenient that it should remain. I believe that in stepping in and purchasing these shares at that time we did what was a very important act for the benefit of those interests. The other arrangements, though they are very important, are yet entirely subsidiary; and when the proper tim comes for discussion, we shall be able to show that we have not overlooked making these subsidiary arrangements in such a way as shall be for the advantage of this country.

MR. GOSCHEN said, he thought the House would feel that the Chancellor of the Exchequer was in a difficult position when called upon to discuss this subject before the Correspondence was before them; but, on the other hand, this possibly might be the only opportunity when the House of Commons would be able to discuss the points to which the hon. Member for Christchurch had called attention before the matter was so far advanced that discussion would be futile. It was the misfortune of the position that the House could not discuss what was to be the nature of the arrangements entered into, and that when the Government had once committed themselves to these arrangements it would be too late for discussion; at all events, the House would be unable to alter those arrangements. He hoped it would be understood wherever the speech of the hon. Member for Christchurch was read that this important question had unfortunately been brought on without Notice, owing to an error of the printer, and when very few of the Members who took a particular interest in it were present. The occasion, therefore, could not be regarded as in any way an adequate one for discussion. For instance, the right hon. Gentleman the Member for Shoreham (Mr. Stephen Cave) was not in his place. Whether the right hon. Gentleman knew that this subject was coming on or not he was, of course, unable to say; but the House had not got the advantage of his presence, while the Government possibly had got the advantage of his absence in this debate. He made these observations in order that, if little were said on the Opposition side of the House upon this important question, it might not be supposed that there was little to be said, the real reason being that the occasion was unexpected. Had it been otherwise, the speech of the Chancellor of the Exchequer would probably have encouraged many hon. Members to state their views. From what had passed, he gathered that the Chancellor of the Exchequer was not so wedded to the arrangement respecting the three directors as appeared probable upon a former occasion. The speech of the hon. Member for Christchurch certainly offered many strong arguments against that arrangement. He had especially called the attention of the House to the words of M. de Lesseps on a former occasion, to the effect that M. de Lesseps hoped to have the presence of English directors on the Direction, in order that there might be an appearance of representation, while, at the same time, they were powerless for any practical purpose. The Chancellor of the Exchequer said it was not always to be expected that the three directors would be on the one side and the 21 on the other side. Nobody imagined that such would always be the division. No doubt there might be many matters of routine and of comparatively trivial importance when the Council might be pretty equally divided. But if he understood the argument of the hon. Member for Christchurch aright, it was on the important questions, and where the interests of this country were most involved, that we should find ourselves in a minority of three, against a majority of 21. How different would have been the position had the nationalities been represented in a Direction of 32! There would then have been a much larger proportion of directors who were not French, and who upon certain occasions affecting the interests of the nationalities might have been found voting together. He did not, however, understand the Chancellor of the Exchequer to say that the scheme for the representation of the nationalities was likely to be carried out, so that the English directors must be regarded as essentially minority members. Apparently the Chancellor of the Exchequer attributed little importance to the presence of these directors in the Council, and relied upon the general influence of this country arising out of our interest in the Canal rather than upon representation. In fact, the right hon. Gentleman applied to the English directors the same argument which he used to defend the absence of our voting power as shareholders in the Canal. In what way were the three directors to represent Her Majesty's Government in a French Company, under French law, and in a French city? These English directors would not be in the position of ordinary directors acting upon their own responsibility, but would be nominees of the Government, having to consider what the views of the Government would be. The Government might find itself committed in a manner which it would regret, even by directors in whom they had the greatest confidence, and who were able men. As he understood that it was by no means a foregone conclusion, he had thought it right to state what had occurred to him on the subject at a moment's notice. He understood that the negotiations were still in progress, and that therefore any objections that might be taken to such portions of the scheme would still receive the attentive consideration of the Government.

Mr. BAILLIE COCHRANE, pointing out the impossibility of discussing so important a matter brought forward in this way without Notice, remarked that not a word about the matter appeared in the Notice Paper, and they did not even know what the terms of the Motion were. This matter was connected with the whole Egyptian question, and the purchase of the shares was considered to be an outward sign of the great interest which we took in Egypt and a determination to maintain English influence in Egypt. He therefore very much regretted that this subject was being brought forward now. He had no papers with him, and was not aware the subject was coming on, and therefore he thought the less they discussed it the better at present. He suggested that they should wait until the Government could give the House fuller information, and then the attention of Parliament and of the country would be called to the subject.

Sir GEORGE CAMPBELL agreed with the hon. Gentleman that it was quite impossible for the House to discuss the details of this question, because they had not sufficient information. But what he rose for principally was to express his satisfaction that this matter was not to be taken up in connection with Egyptian finances in their present insolvent state. He felt it was necessary that they should trust to the discretion and patriotic zeal of the Government in this matter. The House and the country had been very much startled by the declaration made one evening by the Prime Minister that Her Majesty's Government were prepared to consider the appointment of a Commissioner to receive the Egyptian Revenues and to pay the Egyptian creditors. But they were greatly relieved by the statement of the Chancellor of the Exchequer the other night that there was no such intention on the part of Her Majesty's Government. Whoever took up Egypt in a financial point of view would eventually burn their fingers; and the best advice he could give to the Khedive was, without further assistance, to declare an honest dividend among his creditors.

Sir GEORGE ELLIOT said, that he had several times inspected the Suez Canal since it had been constructed and opened, and he could bear his testimony to the fact that last January, when he went through it from one end to the other, it was in excellent condition. He believed it would be totally unnecessary that 30,000,000 francs should be expended on it, and he also believed that we had got a really good substantial property in the Canal for the £4,000,000 we had paid. That was assured, because every year the income of the Canal had been increasing at a very rapid rate, and he estimated that at the end of the 19 years, when the property would come into our hands, the £4,000,000 we had paid would be worth £8,000,000 to the country. Indeed, he had no doubt of it. With reference to the maintenance of the Canal, many engineers with whom he had spoken were of opinion that the expenditure for that purpose would be less than had been estimated. At the Port Saïd end it might be entered at any tide and in any weather; but near the Damietta mouth of the Nile it was constantly silting up, and required attention, and dredging, which was expensive. We could, he believed, keep it in perfect order for less than £1,000 a mile, or £90,000 a-year. Many contended that the Canal ought to be doubled. But he was not of that opinion. Half of it was already doubled, where ships could pass the whole length, and there were sidings in other parts, where ships could pass also. Therefore, to go to the enormous expense of having the Canal doubled would not be warranted. A very slight expenditure would enable the Canal to do double the work, and the amount of the expenditure last year was nearly £1,250,000. He thought it almost an act of grace to give us three directors. If we were not satisfied our only remedy was, as in the case of any other joint stock company, to go into the market and buy up the remaining shares, and so get control of the concern. He should be glad if he could impress on the Government the importance of the idea of carrying out their purchases still further while there were shares still in the market. He strongly recommended that the 15 per cent Founders' shares should be purchased from the Khedive, and these would entitle them to speak at the Board much more effectually than the three directors. This was well worthy the attention of the Government, and he hoped they would give it favourable consideration.

Sir CHARLES W. DILKE said, he was one of the few who, on that side of the House, had from the first cordially approved the purchase by the Government of these Canal shares. The Chancellor of the Exchequer had stated that it would be necessary before the arrangement as to the three places in the Direction was finally concluded to consult the Khedive and the Porte and the other Powers interested in the Canal. He wished the right hon. Gentleman had added that it might be worth while to consult Parliament, otherwise they would be introducing an entirely new principle into English politics. The question of the neutralization of the Canal had been mooted. He wished most earnestly to protest — and from private conversations he knew that many hon. Members agreed with him—against any future neutralization of this Canal, because it appeared to him that this would be in direct opposition to the step the Government had taken in the purchase of the shares. He was sure that there would be the warmest opposition in this country to the neutralization, because that would be virtually resigning to the small foreign Powers a portion of the authority which we ought to exercise.

Mr. BECKETT-DENISON said, he had been anxious that on that occasion no indication of opinion should be given with reference to the general finances of Egypt. It was not for them to express any opinion on the subject. He wished to know from the Chancellor of the Exchequer whether it would be possible for Parliament to have the opportunity of again discussing the project of management and administration before the general meeting of the Canal shareholders, which he understood would be held on the 10th of May? It would be a satisfaction to know whether the voice of Parliament could be made known in such a manner as to secure practical results in connection with the administration of the Canal.

Mr. BOURKE said, his right hon. Friend was precluded by the Rules of the House from answering the question; but if his hon. Friend would give Notice of his Question after Easter, he hoped the Government would be in a position to furnish him with a satisfactory answer.

House adjourned at a quarter before
Three o'clock till Monday
24th April.

HOUSE OF COMMONS,

Monday, 24th April, 1876.

MINUTES.] — Public Bills — *Resolution in Committee — Ordered — First Reading* — Pier and Harbour Orders Confirmation (Aldborough, &c.) * [131].

Second Reading—Treasury Solicitor * [128]; House Occupiers Disqualification Removal [29], *debate further adjourned.*

Committee—Merchant Shipping [49]—R.P.; Offences against the Person [1]—R.P.

Committee — Report — Local Government Provisional Orders (No. 2) * [122]; Local Government Provisional Orders (No. 3) * [125].

THE ROYAL TITLES BILL—THE PROCLAMATION.—QUESTION.

Mr. FAWCETT asked the First Lord of the Treasury, Whether he will afford any facilities for the discussion of the Motion of which Notice has already been given, for an Address to the Crown in reference to the Royal Titles Bill before the Proclamation is issued which will give effect to that Bill?

Mr. DISRAELI: Sir, there are five working Parliamentary days in the week, three of which belong to the House generally, and two to Her Majesty's Government. On these two days we have mainly to depend for carrying on the whole Business of the Session. The hon. Gentleman asks me to give up one of those two days in order to enable him to bring on a Motion with reference to the Royal Titles Bill. I must remind the hon. Gentleman that according to the spirit of our Rules and Orders that Motion could not be brought on, because it is really a repetition of a question which the House has already decided. I am aware that by some technical management the question might perhaps be again discussed; but the hon. Gentleman will remember that before the second reading of the Titles Bill was moved I informed the House of the title which Her Majesty's Government intended to advise Her Majesty to assume; and as all the discussions and divisions in this House were taken with a full knowledge of these details, I certainly should hesitate a great deal, under any circumstances, before I should feel myself bound or justified with due regard to the conduct of the Public Business to give any day to the hon. Gentleman. The hon. Gentleman may, perhaps, justify the course he is taking, for the moment, by referring to what occurred before we adjourned for the holidays. It is very true, under the circumstances which then existed, I had wished to facilitate the discussion of his Motion. The Motion of the hon. Gentleman was a Motion of Censure. It was adopted by the noble Lord the Leader of the Opposition, and I therefore felt, whatever objections might be urged against the general expediency of further discussion, it was my duty to meet the Motion immediately; and I made arrangements, to the great inconvenience of the Government, to do so. That arrangement was perfectly satisfactory to the hon. Gentleman the Member for Hackney, for he himself expressed his entire satisfaction. I remember he thanked me, and thanks from that quarter are so rare that I cannot but remember how the hon. Member acknowledged the promptitude with which I had met his wishes. There was a day allotted for the discussion; that day, however, for causes I am unacquainted with, was not eventually taken advantage of by the hon. Gentleman. I must say, therefore, looking to the present state of affairs, looking to the time which has elapsed, remembering that the question has been already decided, I should not feel justified in interfering with the progress of Public Business in allotting another day to the hon. Gentleman.

Mr. FAWCETT: In consequence of the answer which I have received from the Prime Minister—an answer not saying anything as to the time fixed for the issuing of the Proclamation—I beg to say that, any day at my disposal not being in time before the Proclamation is issued, I shall alter the terms of my Motion so as to make it more distinctly a question affecting the conduct of the Government. I will move a Resolution to the following effect:—

> "That this House disapproves the advice which, as announced by the Prime Minister, will be given to Her Majesty by Her Majesty's Ministers to assume the title of Empress of India;"

and I will ask the Prime Minister tomorrow, Whether he will give a day for the discussion of my Motion before the Proclamation is issued which will give effect to the Bill?

THE BRITISH MUSEUM—SALARIES.

QUESTION.

Mr. W. M. TORRENS asked the First Lord of the Treasury, What steps Her Majesty's Government proposes to take with respect to the observation in the Second Report of the Civil Service Inquiry Commission, that the salaries of the Staff appointments in the British Museum "appear to be small with reference to the nature and importance of the work to be discharged;" and with respect to the opinion expressed by the Commission that the Institution "should be organized in such a manner and with such a scale of remuneration as would attract to it men of high literary, artistic, and scientific culture?"

Mr. W. H. SMITH, in reply, said, that owing to the prolonged consideration of the First Report of the Civil Service Inquiry Commission the attention of the Government had not yet been given to the Second Report, nor had it yet been officially communicated to the Trustees of the British Museum. He was therefore unable to say at present what steps would be taken with reference to the subject mentioned in the Question of the hon. Gentleman, further than that the matter would be duly considered.

CRIMINAL LAW—QUARTER SESSIONS —JURIES' SUMMONS.—QUESTION.

Colonel NAGHTEN asked Mr. Attorney General, If he can devise some means whereby, when there are no prisoners for trial at Quarter Sessions, as was the case at the City Sessions at Winchester this month, the mayor may counter-order the summonses to jurymen to prevent their being called away from their avocations for no purpose?

The ATTORNEY GENERAL, in reply, said, the occurrence of the circumstance mentioned in the Question of the hon. and gallant Member was very rare, and he could not devise any means of accomplishing the object, except by resorting to legislation; and he did not think it was a matter on which it was necessary to legislate.

INDIA—MALAY PENINSULA—THE STATE OF PERAK.—QUESTION.

Mr. ERNEST NOEL asked the Under Secretary for Foreign Affairs, Whether the Proclamation issued by Sir William Jervois last year ordering the affairs of the Independent Malay State of Perak to be administered by Commissioners in the Queen's name, has been approved by Her Majesty's Government; and, when the Papers on the subject of our dealings with the States of the Malay Peninsula, in continuation of the Correspondence presented to Parliament in July 1874, will be laid upon the Table of the House?

Mr. BOURKE, in reply, said, that Papers on the subject would be laid on the Table in a few days by the Under Secretary for the Colonies, and all the information the hon. Gentleman asked for would be found in them. It would be impossible within the limits of an Answer to a Question to give all the information he asked.

OWNERS OF LAND (ENGLAND)—THE NEW "DOOMSDAY BOOK."—QUESTION.

Mr. MORGAN LLOYD asked the Secretary of State for the Home Department, If his attention has been called to the numerous errors and mistakes contained in the "Return of Owners of Land, England;" and, whether it is the intention of the Government to take steps with a view to make the necessary corrections in such Return?

Mr. SCLATER-BOOTH (for Mr. Assheton Cross), in reply, said, that since the Return in question had been presented, the attention of his Department had been called officially to some inaccuracies — not a great number — contained in it, and they had been carefully noted, in case it should hereafter seem expedient to issue a supplementary Return; but at present there was no such intention. It would be found, on reference to the introductory remarks with which the Return was prefaced, that some such inaccuracies were anticipated as inevitable, regard being had to the state of the present valuation lists from which it was compiled.

POLLUTION OF RIVERS—THAMES WATER.—QUESTION.

Sir CHARLES W. DILKE asked the Secretary of State for the Home Department, Whether, during the present Session of Parliament, any measure will be introduced which will prevent towns from pouring their sewage into the Thames above the point at which the supply of water to London for drinking purposes is drawn?

Mr. SCLATER-BOOTH (for Mr. Assheton Cross), in reply, said, there was no intention of bringing in any Bill having the special object indicated in the Question, but a Pollution of Rivers Bill was in preparation, as the hon. Baronet and the House were already aware. The Thames Conservancy Act, passed some years ago, provided for the purification of that river, so far as sewage was concerned, by the agency of the Conservators, whose jurisdiction extended up to Cricklade. They had exercised their powers and put pressure on the authorities with useful, though, necessarily, with slow, results, and the Local Government Board had sanctioned the expenditure of large sums of money by the local authorities for the construction of works having for their object the purification of the river. Out of a dozen or fifteen towns between Cricklade and Hampton, the following of the more important cases might be specified:—At Oxford, upwards of £100,000 was being expended; at Abingdon, £20,000; at Reading, £150,000; at Eton, where he believed the works were complete and in operation, £25,000; at Windsor, £30,000. Most of the works in these instances were in a forward state—some, he believed, completed, or approaching completion.

CONSOLIDATION OF CUSTOMS ACTS. QUESTION.

Mr. MONK asked Mr. Chancellor of the Exchequer, Whether his attention has been called to complaints from the mercantile community, as well as from

Customs House officers, as to the difficulty of ascertaining the existing state of the Law as contained in the Customs Acts which had been passed since the Consolidation Act of 1853; and, if so, whether Her Majesty's Government will consider the expediency of introducing a Customs Acts Consolidation Bill during the present Session?

THE CHANCELLOR OF THE EXCHEQUER, in reply, said, his attention had been called to the difficulty in question, and he thought it could not be a matter of wonder that much inconvenience had been felt, because, since the passing of the Consolidation Act, there had been 50 Acts which directly or indirectly affected the Customs, some of which had since been either wholly or partially repealed. A Bill had been prepared for consolidating the Customs' laws, and he hoped the Secretary to the Treasury would be able to introduce it in the present Session. It would be a formidable Bill; and, considering the inconvenience of the present state of the law, he hoped the House might be disposed to pass it, as a Consolidation Bill, with reasonable despatch.

POST OFFICE—POSTAL TELEGRAPH WIRES.—QUESTION.

MR. ANDERSON asked the Postmaster General, If his attention has been called to a letter in "The Times" lately, in which Sir John Hawkshaw, the President of the Society of Civil Engineers, stated that suspended telegraph wires were safe only for about twelve years; if he has heard that several fatal accidents have occurred from fractured wires falling in crowded streets; if he has observed, on the house at the south-west corner of Parliament Street, a large number of wires clustered on one support very much twisted, and evidently in an unsafe condition; if he has observed one on the west corner of Richmond Terrace that looks insufficient, as well as others in various parts of the City; and, if he will arrange gradually to alter all wires in cities and towns to underground ones, or have the suspended ones carried, where practicable, in such a way as to cross streets at right angles, or make the distance between the supports at least seven feet less than the elevation, or in some other way reduce the risk?

LORD JOHN MANNERS, in reply, said, he had read the statement of Sir John Hawkshaw, and in reference to the first part of the Question he might state that there had been only two fatal accidents during the 17 years that telegraph wires had been carried overhead, and one of these occurred 12 years ago. He had not personally noticed the wires at the south-west corner of Parliament Street and the west corner of Richmond Terrace, but he had been assured by the proper officers that both clusters were now perfectly secure. That at the corner of Richmond Terrace would shortly be removed, and all those wires and a portion of those at the corner of Parliament Street would be placed underground. It was intended gradually to substitute underground for overhead wires in London, and to carry those which must remain overhead at right angles across the streets wherever it was practicable to do so.

MERCHANT SHIPPING BILL—[BILL 49.]

(*Sir Charles Adderley, Mr. Edward Stanhope.*)

COMMITTEE. [*Progress 6th April.*]

Bill *considered* in Committee.

(In the Committee.)

Clause 14 (Stowage of cargo of grain, &c.)

On the Motion of MR. PLIMSOLL, Amendment made in page 8, line 25, by leaving out from "grain" to "kernels," in line 26, both inclusive, and inserting "grain cargo."

MR. PLIMSOLL, in moving, as an Amendment, in page 8, line 27, after the word "by," to insert—

> "Shifting boards not less than two and a half inches in thickness, running from the keelson or screw tunnel, as the case may be, longitudinally throughout the part of the ship so loaded, and up to the underside of the planking of the deck next above the top of such grain cargo, and also by having not less than one-fourth of such grain cargo in sacks or bags laid upon the surface of the remaining three-fourths of such cargo loaded in bulk,"

said, the Amendment, if adopted, would give legislative effect to the arrangements at present being made at the ports of the Black Sea. These clauses of the Bill were the same as those in the Bill of last year, and they were proved to be defective, because there were no defined limits as to the extent to which boards should be employed to prevent the shifting of grain cargoes. He found on visiting many of the Black Sea ports last winter that the owners were going on practically as before; but a great number of captains adopted the recommendations which he made, and employed shifting boards. He believed it was owing to the adoption of these precautions that the right hon. Gentleman the President of the Board of Trade had been enabled to state to the House that in the four months from November to February the loss of life in the Bay of Biscay in connection with ships coming from the Black Sea ports had been reduced from 175 to 20 or 30, and the loss of vessels from six to two. The Earl of Derby had instructed our Consuls in the Black Sea ports and the Mediterranean to see that grain cargoes were properly stowed and loaded, for which purpose they were authorized to expend a sum not exceeding £2 for each ship. All the Amendment sought to secure was, that the practice thus initiated, which had been attended with such remarkably beneficial results, should now be made permanent by Act of Parliament. It would involve an infinitesimally small cost to the shipowners; and, if it were adopted, they would hear no more of ships being lost in the Bay of Biscay from the shifting of grain cargo. The experience of Canada and the United States during the last two winters fully justified that conclusion, as not a single vessel sailing from a Canadian port with a cargo of grain properly loaded with shifting boards and bags had been lost. The carrying out of the Amendment would in no way interfere with the structure of any ship, and the outside estimate of the cost of the precaution was only 2*d.* a-quarter, for the boards and bags would have their value at the end of a voyage. The hon. Member concluded by moving the omission of the words quoted with the object of substituting the Amendment.

Mr. T. E. SMITH said, he agreed with the object the hon. Member had in view, and would admit that the loss of life and property might be avoided by a careful adoption of the means indicated; but, at the same time, the Amendment seemed to have been drawn by somebody who did not particularly understand the circumstances of the trade with which he had to deal. He thought, in the first place, that the clause in the Act of last Session with respect to these cargoes had worked most satisfactorily; and, in the next, that it was not desirable to tie up the hands of shipowners to any particular mode of stowage and loading, and prevent them from making such improvements and modifications as might from time to time be suggested. He objected to the use of the words "shifting boards," for many vessels were about to be built with longitudinal iron bulkheads, which would carry out the object his hon. Friend had in view better than shifting boards; yet if the Amendment were agreed to, shifting boards must still be used. For these reasons he must oppose the Amendment, and he hoped the right hon. Gentleman opposite would not assent to it. He thought it preferable to adhere to the provisions of the Act of last year rather than to introduce injudicious and vexatious restrictions.

Sir CHARLES ADDERLEY said, he was not surprised that no hon. Member had risen to support the Amendment, and he trusted that it would not be pressed. The object of the Government and of the hon. Member for Derby was the same — namely, to secure grain cargoes better than hitherto. The proposal of the hon. Member, however, would prevent any adaptations of grain ships to the various wants of the trade, and the use of longitudinal iron bulkheads would be excluded if shifting boards were made universally compulsory. Whether grain vessels were destined for long or short voyages they would all be bound by the Procrustean rule of being compelled alike to have the cargo secured by 2½ inch shifting boards, and whatever changes might be recommended by experience could not be adopted if the Amendment were agreed to. There were many different modes of securing grain cargoes from different countries. In some of the American ports, for example, it was usual to mix cotton with the grain; while, in other ports, the cargo was prevented from shifting by placing grain in sacks upon the top. Cunard's grain ships were fitted in layers, and other lines used bins. All these arrangements, however completely they effected the purpose, would be prohibited if the Amendment were agreed to. It was true that measures were taken in Canada to guard against the shifting of grain cargoes, but that was done not by rigid rules, but at the discretion of the port officers. The precedent of Canada was that of a grain exporting, and not a grain importing country, and from a list which he held in his hand he observed that the Act which the hon. Gentleman quoted did not make the slightest difference in the number of grain ships which had been lost from Canada; and the grain ships from New York showed a larger number of casualties than those of any other country. The discretionary powers taken might not have increased the losses; but, on the other hand, they did not seem to have diminished them. He quite agreed that a grain cargo was dangerous, and the Board of Trade would wish to see shipowners at liberty to adopt every means of improving the mode of stowing grain cargoes to secure the cargoes as much as possible from shifting. The object, however, might be effected in many ways, and the hon. Member had not shown any argument or reason for supposing that one rigid rule ought to be adopted. The Bill took the right mode of dealing with grain cargoes. It re-enacted the section of the temporary Act of last year, under which instructions were given to Her Majesty's Consuls and vice Consuls at foreign ports and to the Custom House officers at outports to see whether the regulation was carried out, leaving on the owners the responsibility of making proper provision for the purpose; and allowing them to incur a certain expenditure for the inspection of British ships loading grain in foreign ports. That provision was adopted on the suggestion of the hon. Member for Derby. It had been very useful and he gave him every credit for it. This precaution, coupled with the inspection on their arrival in this country of grain-carrying vessels, which showed any signs of their cargo having shifted, would effect the object in view better than the rigid rule now proposed, and for these reasons he trusted that the hon. Member would withdraw the Amendment.

Mr. D. JENKINS concurred in the objections of the right hon. Gentleman the President of the Board of Trade, and expressed a hope that the Amendment would not be pressed to a division. Ships sailed under so many conditions and were of such different capacities that it would be difficult to observe a stringent rule such as the Amendment would lay down. Such a rule, if adopted, might produce greater evils than it was intended to prevent.

Mr. PLIMSOLL said, he disputed the accuracy of the statement of the President of the Board of Trade in reference to the loss of grain-laden ships sailing from Canadian ports. It was certainly not in accordance with the official statistics which he had seen. He should feel it his duty to divide the Committee for this reason—he had visited in the course of the winter and spring nearly all the grain-loading ports, including Odessa, and his experience proved to him that nine-tenths of the grain imported was sent in wooden bottoms, and to say that a proved and efficacious mode of preventing cargoes from shifting was not desirable because of the possibility of improvements or modifications in a few iron ships, was the height of absurdity. The Canadian method of stowage and loading was in every respect well adapted for its object. Since its adoption there had been few, if any, losses of grain-laden ships; and he had been assured by many shipowners that the carrying of the planks right down to the bottom was the only way of attaining security. The fact stated by the Chancellor of the Exchequer last August to the effect that the adoption of the Canadian regulations had been followed by a reduction of insurance on grain cargoes of from five guineas to 45*s.* ought to be sufficient to commend his Amendment to the Committee.

Mr. NORWOOD pointed out that an important principle was involved in the proposal, antagonistic to the principle of the Government clause which was to throw all responsibility as to the loading of the vessel upon the shipowner. If, however, the Amendment were adopted, the owner by carrying out a specific plan in a perfunctory manner would escape all responsibility.

Mr. E. JENKINS said, if the Amendment of the hon. Member for Derby was not agreed to, the clause as it stood in the Bill would be simply illusory. The official reports from Canada, as well as the returns at Lloyd's, proved that the system proposed by the hon. Member was thoroughly efficient in preventing the shifting of cargoes and consequent loss of vessels.

Mr. WATKIN WILLIAMS, after the reasons stated by the President of the Board of Trade, hoped his hon

Friend would not press his Amendment to a division.

MR. MAC IVER also expressed a desire that the hon. Member would not persist in his Amendment. Grain vessels often carried their cargoes under totally different conditions. The Cunard vessels, with which he had now nothing to do, did not carry grain cargoes in the sense meant by the hon. Member; but had they done so, he should not have objected to regulations more stringent than those now suggested. Whilst, however, there was a necessity for dealing with grain cargoes, there was also great difficulty in dealing with the question, and upon the whole he thought that the proposition of the Government was more satisfactory than that of the hon. Member.

MR. SERJEANT SIMON hoped that the Amendment would not be pressed, because it would hardly be proper to legislate upon matters which must involve so many details. He preferred the clause as it stood to the Amendment.

MR. PLIMSOLL said, he had found by experience that it was most beneficial that the division of the grain cargoes into two portions should be compulsory; and he was strongly of opinion that some such provision was necessary to the safety of life.

MR. W. E. FORSTER wished to ask the hon. Gentleman the Member for Derby a question. He had just told the Committee that the Canadian system of loading was the most complete, but that at the same time it was the most expensive, and he now wished to know whether its adoption might not be entirely prevented by the Amendment. He thought his hon. Friend ought to consider the question and bring it up again on the Report.

MR. PLIMSOLL said he would act on the right hon. Gentleman's suggestion, and withdraw the Amendment.

Amendment, by leave, *withdrawn.*

MR. PLIMSOLL moved, as an Amendment, in page 8, line 28, before "master," to insert "managing owner or," with the object of making not only the master of a ship, as proposed by the clause as it stood, but also the managing owner, liable for improper loading.

SIR CHARLES ADDERLEY opposed the Amendment, on the ground that as the majority of managing owners would be resident in the United Kingdom, it would not be possible to fix them with responsibility for what was done by the masters of their ships in foreign ports in loading their vessels.

MR. HERSCHELL suggested that as the penalty was to be inflicted on those who "knowingly" committed the offence under the clause, there could be no harm in adopting the Amendment. He did not see why the liability should not be cast upon the managing owner as well as upon the master.

MR. W. E. FORSTER thought that the fact of the managing owner being resident in this country ought not to acquit him, if he was aware that the ship was to be loaded at a foreign port to the danger of life.

MR. GORST supported the Amendment. It was not unknown that grain ships should load in this country.

SIR CHARLES ADDERLEY considered that it was sufficient to make the master liable, he being the owner's agent.

SIR HENRY JAMES pointed out that the penalty for infringing the clause as it stood was a fine of £100 on summary conviction, or of £500 on conviction after indictment. These were penalties which very few masters of ships would be able to pay, and the Bill provided no alternative punishment. He would also suggest whether, by throwing the liability on the agent, the principle would not be introduced of exempting the owner. In many cases the managing owner did reside abroad, and yet even in these cases as the clause stood he would be exempted, although he might be the most guilty person.

THE ATTORNEY GENERAL said, there was a provision in the Bill that the managing owner should reside in the United Kingdom, and it would be the fault of the agent that the cargo was improperly shipped. He thought the clause as it stood would meet the case, as the thing to be done was to punish the man by whose actual default the Act was infringed.

SIR WILLIAM HARCOURT supported the Amendment, remarking that it would fix the responsibility of contravening the provisions of the Bill upon the managing owners of ships who gave orders to their *employés* dated from distant places, as well as upon the masters who carried such orders into effect.

Sir CHARLES ADDERLEY said, the proposition of the Government was that the managing owner should be resident in the United Kingdom, and that a managing owner so resident would write to an agent and tell him to act in contravention of the Act of Parliament, was a ridiculous supposition. Even supposing that occurred, would not the master, being liable, refuse to violate the Act? He considered the Amendment quite unnecessary.

Mr. T. E. SMITH considered that if a managing owner allowed his ship to be loaded in a manner dangerous to life he should be made liable; and he therefore thought it desirable that the Amendment should be adopted, though he considered the matter one of but little importance.

Mr. MAC IVER said, on the contrary, he thought the subject one of great importance, and that it raised the whole principle of the Bill. He supported the Amendment, believing that it was most desirable that managing owners should be held responsible for things that they could fairly control.

Sir CHARLES ADDERLEY thought that there was some ground for holding a managing owner responsible for what he knowingly did, but that the Amendment should be in this form, "managing owner, agent, or." If so altered, he would accept it.

Amendment to said proposed Amendment, *agreed to.*

Amendment, as amended, *agreed to.*

Amendment (*Mr. Plimsoll*), page 8, line 29, to leave out "knowingly," *negatived.*

On the Motion of Mr. Plimsoll, Amendments made in lines 29 and 30, by leaving out "cargo," and inserting "grain cargo."

Mr. PLIMSOLL, in moving as an Amendment in page 8, line 31, after "section," to insert—

> "Or if the master of any ship carries into or loads in any port of the United Kingdom any grain cargo contrary to the provisions of this section,"

said, that some such provision was necessary in the interest of British owners and seamen.

Sir CHARLES ADDERLEY opposed the Amendment. It was impossible in the present state of our municipal law to enforce the penalty. A ship might, before commencing her voyage from a foreign port, have been loaded in such a manner as ignored the provision contained in the clause, but if she arrived safely in a British port there was no power to punish her master, there having been no offence.

Mr. MAC IVER supported the Amendment, remarking that in the port of Liverpool the practice which the right hon. Gentleman had described as impossible was invariably followed in the case of vessels carrying gunpowder or petroleum. Penalties were enforced without distinction of nationality against all shipmasters who brought such things into dock contrary to the regulations.

Sir HENRY JAMES hoped the hon. Member for Derby would withdraw his Amendment. They could have no jurisdiction in this country over foreign ships coming for shelter or convenience into British ports, especially when they had their cargoes from other quarters. It was, however, a fair question for consideration how far they could regulate such vessels. In doing so, it should be treated as a whole, and not in part, and on the responsibility of the Government.

The CHANCELLOR of the EXCHEQUER said, the exceeding difficulty of dealing with the question of foreign ships rendered it desirable to leave it for consideration on the Report of the Bill. They had been considering the question, and had communicated with the Foreign Office upon it. He hoped the hon. Member for Derby would not attempt to deal with this question in a fragmentary manner.

Mr. E. JENKINS asked whether it was not possible to get over the difficulty by imposing a small penalty such as 1*s*. or 6*d*. a bushel, on foreign vessels attempting to discharge in our ports cargoes that had been improperly loaded.

Mr. PLIMSOLL said he would withdraw the Amendment, as the Government had the matter under consideration, and renew it on the Report.

Amendment, by leave, *withdrawn.*

Sir HENRY JAMES observed that the clause made the amount of the penalty depend on the tribunal and not on the nature of the offence. He wished to ask the Attorney General whether, supposing an indictment were preferred against a person for this very grave offence, the penalty for the commission of which might, on conviction, be £500, the effect of the indictment could not be got rid of through the same person having been already ordered by a magistrate to pay a fine of £100. He moved the omission in page 8, line 32, of the words "on summary conviction."

The ATTORNEY GENERAL admitted that there was great force in the objection made by his hon. and learned Friend opposite (Sir Henry James), but the object was to avoid as little delay as possible in cases of this description. He thought that as the Bill did not propose to punish the offender by imprisonment, it was not necessary to have any proceeding by indictment at all, and that the justice of the case might be met by providing that the offender, on summary conviction, should have inflicted on him a penalty of £100.

Mr. MORGAN LLOYD thought £100 was too small as a maximum penalty for so serious an offence. If, however, the penalty were raised to £500, the case ought to be decided by a jury. That course would allow an appeal to be made. He would suggest that the maximum penalty should be £500, and that the Board of Trade should have power to mitigate the penalty according to the nature of the offence.

Sir WILLIAM HARCOURT said, the objection that £100 was too large a penalty to impose summarily was met by the Act of 1854, which provided that in all cases of summary conviction where the sum adjudged exceeded £5, anyone who thought himself aggrieved might appeal to the quarter sessions. As the Committee were dealing with a maximum, he wished to ask the Attorney General whether it ought not to be higher than £100?

The ATTORNEY GENERAL could not accept the Amendment, because he thought that summary conviction, under which the accused would have the power of appealing, would be the best mode of proceeding. He would, however, consent that the maximum should be £300 instead of £100.

Mr. NORWOOD said, he did not think the clause was worth the time the Committee had expended upon it, as no shipowner in his senses would render himself liable to it, because the pecuniary penalty would not be nearly so great as the civil responsibility which he would incur at common law. He would suggest that no prosecution of the kind should be allowed to be commenced without the sanction of the Board of Trade.

Sir CHARLES ADDERLEY pointed out that the civil liability would only be incurred in the event of the total loss of the ship, whereas the criminal liability would be incurred whether the ship was lost or not. He approved the suggestion of the hon. and learned Gentleman opposite, and would remind the Committee that no prosecution could be instituted without the consent of the Board of Trade, and in every case where the law was violated that would be granted.

Amendment, by leave, *withdrawn.*

On the Motion of Sir Henry James,

Amendment made, by leaving out from the word "if," page 8, line 32, to "*pounds,*" in line 33, both inclusive, and inserting "*three hundred pounds* to be recovered on summary conviction."

Clause, as amended, *agreed to.*

Deck Cargoes.

Clause 15 (Space occupied by certain deck cargo to be liable to dues.)

Mr. PLIMSOLL asked the Chairman whether on a verbal Amendment, of which he had given Notice, the question of deck loading could not be fairly raised?

The CHAIRMAN said, the question might be discussed on the Amendment of the hon. Gentleman.

Mr. PLIMSOLL, in moving, as an Amendment, in page 8, line 36, to leave out "If any ship, British or foreign," and insert "No British ship," said, it was pretty generally known that the carrying of deck cargoes across the Atlantic in winter was a fruitful cause of loss of life at sea, besides inflicting dreadful suffering on those sailors whose lives were not lost. In 1839 an inquiry, instituted by the House of Commons, elicited such a shocking state of things as the result of deck loading that a Bill was passed prohibiting deck loading for a year, which was repeated twice by Liberal, twice by Conservative Governments, until Lord Aberdeen's Government made it perpetual. In 1862 this Act was repealed without a word of explanation, by the insertion of certain figures in a Schedule of a Bill of repeal. The loss of life subsequently was so alarming that, at the request of the Board of Trade, Lloyds' appointed two of their members, Mr. Jackson and Mr. Wakefield, to inquire into the subject, and, after examining 8,342 voyages in the 10 years before and after 1862, getting all the particulars of each voyage in every case but two, they reported that since 1862, the loss of life from deck loading was four times as great as in the previous 10 years when the practice was prohibited, notwithstanding that three times the number of ships were now taking the route followed by timber ships compared with former times. These gentlemen also reported that the practice of deck loading was highly dangerous and ought immediately to be prohibited, and they recommended that Parliament should reinstate in the Statute Book that enactment which had reduced the loss of life so enormously between the years 1839 and 1862. It was not necessary to make a long speech to prove the necessity of reverting to their former practice, and he should therefore content himself with moving the Amendment.

Amendment proposed, in page 8, line 36, to leave out the words "If any ship, British or foreign," in order to insert the words "No British ship,"—(*Mr. Plimsoll,*)—instead thereof.

Colonel CHAPLIN opposed the Amendment, pointing out that if it were carried it would seriously cripple, if not eventually ruin, the trade between this country and ports in the North and Baltic Seas in steam engines and threshing machines, which were always carried on deck. Many of the vessels were absolutely not large enough to take them below deck, and if carrying them on deck were prohibited, manufacturers would be compelled to take them to pieces and have them packed, which would involve an additional outlay of 5 per cent upon the cost—a serious addition to contend against in a trade already exposed to keen competition. The traffic for the most part was carried on during the spring and summer months, and he had received several letters stating that thousands of them had been sent without any loss, and in one instance one firm had sent to the Continent no fewer than 866 engines and 634 threshing machines without incurring any casualty. The Amendment could only be carried by benefiting the foreign manufacturer.

Mr. RATHBONE said, he believed that shipowners generally would not object if deck cargoes of timber in the winter season were prohibited in all ships; and there could be no doubt that the adoption of such a course would save many lives. But to limit the prohibition simply to British vessels would have the effect of transferring the timber-carrying trade to foreign flags, subject to no regulations, and the consequence would probably be an increase in the loss of life. He hoped the Government would consider whether they could not adopt some clause similar to that which the hon. Member for Poole (Mr. Evelyn Ashley) had placed on the Paper, subjecting such cargoes to a heavy duty; if they would do so, the practical effect would be to put a stop to the practice without injuring anybody, or exciting bad feelings on the part of foreign countries.

Mr. MAC IVER hoped the Committee would not accept the Amendment of the hon. Member for Derby, because it would not work fairly. There were such cargoes as agricultural machinery, which might, in moderation, very properly be carried on deck; indeed, no safer place could be found for a boiler or a threshing machine. It would only increase the risk if hatchways required to be made big enough to get such things below. He quite concurred, however, with the hon. Gentleman who had spoken last in the opinion that the carrying of deck cargoes of heavy timber across the Atlantic in the winter months ought to be prevented; but that object could not be attained either by the Amendment of the hon. Member for Derby or by the Government clause as it stood. The Amendment of the hon. Member for Poole (Mr. Ashley) came much nearer the mark.

Mr. EVELYN ASHLEY agreed that the clause went partly, though very little, towards the object which the Committee desired, by increasing the tonnage dues; but the danger was that it held out an inducement to the shipowner to pile up his timber cargo on deck excessively, and thus increase the risk of sinking the vessel and of the seamen being washed overboard in boisterous weather. He had himself given Notice of a clause for the very purpose in view; but as it imposed taxation he could not move it, but would only now call the attention of the President of the Board of Trade to it, with a view to its being brought in as a new clause after Clause 15, making the duty cumulative as regarded timber.

Lord ESLINGTON had always thought that the clause was singularly weak and inefficient. It was idle to suppose that merely charging dues would prohibit the carrying of deck cargoes. This was a Bill for saving life, but the clause tended to encourage rather than discourage deck cargoes, by legalizing them upon payment of dues, and they were fraught with danger in the stormy season of the year.

Mr. T. E. SMITH said, there were several trades that could not be carried on unless deck cargoes were permitted. The fruit trade was one. The Board of Trade were in this clause endeavouring to carry out their views on the question, raised some time ago, of covered-in spaces on deck. This provision would operate unfairly, because if a single package, say of matches, were covered in, the whole of that covered-in space would be liable to tonnage dues; whereas if the same case of goods were put in an exposed part of the ship it would not bear duty on the measurement of the case. He hoped the right hon. Gentleman would, on consideration, think it better to postpone this clause and bring up a new clause, dealing with deck cargoes, on the Report.

Sir CHARLES ADDERLEY said, he could not agree that this was a weak clause. He believed that at present there was no way of generally prohibiting deck cargoes. The Amendment which had been put down in the name of the hon. Member for Poole (Mr. Evelyn Ashley) proposed to deal with the question by means of a prohibitory duty, for the amount of the duty would prohibit deck cargoes absolutely. Therefore that proposal might be considered to suppress deck cargoes generally. The Amendment of the hon. Member for Derby dealt with dangerous deck cargoes. The present law absolutely gave a premium or inducement to stow cargoes in the most dangerous way, because it relieved deck cargo from port and light dues. The clause in the Bill took away that inducement. It did not, as had been said, impose any new tax, but it took away an objectionable exemption which acted as a premium upon this most dangerous stowage of cargo. It was not, as was represented, an ingenious mode of dealing with the Tonnage Laws. The principle of tonnage measurement was that all cargo-carrying space should be included in it, and the only reason why deck cargo had not been hitherto included was that no one had devised a mode of measuring it. In his opinion, the proposal of this clause of a way to bring deck cargoes within tonnage measurement was a happy thought. There were only three kinds of deck cargo in their minds—namely, imported timber and cotton and exported large machinery, chiefly from the East Coast to the Baltic. Of the timber, not only that brought from the Baltic, but half that which came from Canada, was imported in foreign ships; indeed, the Norwegians were importers from all parts of the world into England; and the import of deck cargoes of timber from Europe in British ships was so slight that they were dealing almost entirely with foreign ships, which was an argument, not against the clause, but for the careful consideration of the Amendments. There might be some British merchants who, unconsciously to themselves, would be glad to propose a strong measure, not so much in the purpose of this Bill to save life from dangerous enterprize, but by way of checking this foreign trade and getting it into British hands; but he conceived the great shipowners would take a larger view and would bear in mind, not exclusively the interests of the English trade, but the interests of trade generally, and the duty of restricting it only from a reckless hazard of life. For a long time we prohibited deck cargoes of timber from Canada, but it was under the Navigation Laws, and when they were repealed, it was impossible in open competition to maintain the prohibition. To prohibit the discharge of such cargoes on arrival here was still more difficult. If ships arrived here safely, it was impossible to reject them on the ground that they ought to have gone to the bottom. The prohibitive penalties were also easily evaded by covering the cargoes with awning decks, which increased the danger the prohibition was intended to avert. The proposition of the clause was simply to bring these deck cargoes within the obligations of all cargo-carrying space, and this would fall equally upon British and foreign ships, without giving offence to foreigners. There were several cargoes which must be carried on deck; the cattle imported from Spain could not be carried below, and petroleum would be dangerous in the hold; and yet the proposition of the hon. Member for Derby was that no British ships should carry any deck cargo of any sort or kind under a penalty.

Mr. PLIMSOLL begged pardon; there were many proposed exceptions, and he must object to having his meaning so persistently distorted.

Sir CHARLES ADDERLEY said, that in the hon. Member's present Amendment there was a general prohibition, but he found afterwards that cattle and other things were excepted. He intended to accept the proposition of the noble Lord the Member for South Northumberland (Lord Eslington), and to except from the operation of the clause, not only the coasting trade, but the home trade as defined by the Act of 1854. Norwegian timber was generally carried on deck, and that trade was stated before the Royal Commission to be one of the most safely conducted in the world. Yet it would be entirely done away with by the hon. Member's proposition. Direct prohibition in these cases was impossible, and indirect prohibition by heavy fiscal charges, he thought, was in more than one respect objectionable. In the export trade, deck loads of large agricultural machinery had occasioned, so far as he was aware, no casualties, and if an attempt were made to prohibit them the trade would be annihilated. It would be impossible to put all such machinery below deck. If it were taken to pieces the profits would be absorbed in the extra labour. It would, he thought, be impossible to prevent altogether the deck loads of timber, but they might be checked by not allowing any longer the existing any premium on them. If any better mode of checking it could be devised it would be probably by penalty. Shipowners might be made liable to a fine, or a higher duty might be imposed. If they resorted to extreme legislation, awnings would be put over the timber, and the ships made only so much the more top-heavy and unmanageable. On the whole, it seemed to him advisable, at all events, to pass this clause, which would be an important declaration by Parliament against the carrying of deck cargoes, and which would, no doubt, have a beneficial effect.

Sir WILLIAM HARCOURT said, the right hon. Gentleman the President of the Board of Trade had described the clause as a happy thought, but every one except the right hon. Gentleman had read it with contempt and amusement, and no one objected to it more strongly than the noble Lord the Member for South Northumberland (Lord Eslington). The right hon. Gentleman stated that the clause would be an announcement that the Legislature disapproved of deck cargoes, and he hoped that it would put an end to a trade which was dangerous to life. Still he said it was impossible to do away with deck cargoes, though no argument had been advanced to that effect. He (Sir William Harcourt) believed prohibition to be perfectly practicable. There might be objections to particular methods of attaining the end they had in view, but it was no more impossible to prohibit deck loading than it was to regulate grain cargoes. It was said that trade would be driven into the hands of foreigners; but if they were going to deal with foreign vessels as well as British, that objection would not exist. To his mind it would be perfectly fair to to levy dues upon deck laden vessels arriving at certain seasons of the year; and for the President of the Board of Trade to say that such a proposal was impracticable was to declare that his Department was incapable of performing its duties. No Department was entitled to say that it was impossible to deal with deck cargoes, and if the Board of Trade took up that position some other Department would have to be found to undertake its work. The question was, whether the Board of Trade wanted to accomplish this object? If not, it would be easy to evade the Act. What had been said about deck cargoes applied to the Norwegian trade, and yet that was the safest trade in the world. What they wanted was a discriminating clause, which would show that the Board of Trade knew what they were dealing with. A sensible Department, which did not deal in happy thoughts, would legislate upon the question, and then impose penalties when evasions took place. What was required was, that they should deal with timber cargoes coming across the Atlantic and from the Baltic. As a practical matter, let the Committee reject that worthless clause, and wait till the President of the Board of Trade, on the Report, had a happier thought, and brought forward a clause dealing in an effective manner with deck cargoes of timber in the dangerous season of the year—a subject to which the public mind was alive, and one with which it would require them to grapple.

THE CHANCELLOR OF THE EXCHEQUER said, the hon. and learned Gentleman opposite (Sir William Harcourt), who had been very hard on the President of the Board of Trade, had shown clearly by his speech that he really did not understand the question, and did not see where the real difficulty lay. He had told them that the Government said they desired to prohibit the carriage of these dangerous deck loads, but that they found it impossible to do so, and then he asked, How could it be impossible? No doubt, in a certain sense, nothing was impossible to an Act of Parliament; but the question was whether, if they dealt with it in an Act of Parliament, they could enforce it, and whether any plan they could devise would not carry with it many more evils than it pretended to avert. If they felt certain that the latter result would arise, then it was quite reasonable to say it was an impossible proposition. One great objection was that they would have to apply this clause to foreign ships, and what the Government had promised to consider on the Report was, how they could deal with foreign ships going out of the country, not with those coming in. That was not, he thought, ever intended. [Mr. PLIMSOLL: Oh, yes it is.] They might frame a proposal of the kind; but he thought that the great body of the Committee would feel that it would be an impossibility practically to deal with foreign ships coming into port. But it might be a question whether in a case where they proposed to stop a British ship going out of our ports under certain conditions, they ought not also to stop a foreign ship going out under the same conditions. But that did not touch the matter of deck loads of timber, because we did not send out those deck loads from this country. They came to us from the Baltic and across the Atlantic and the place where they should be dealt with must be the place of export. Canada, for example, had passed a very useful and effective law which had greatly reduced the danger of bringing cargoes of timber to this country; and when a Canadian ship laden with timber under the law arrived safely in our ports, were we to say, because she did not comply with certain conditions which we might lay down, that she was to be sent back or be subjected to a prohibitory duty? He could hardly imagine such an offence as that being deliberately given to Canada, and he could scarcely suppose that anybody would argue in favour of such a proposition. Again, if they attempted to enforce such a law, they would find that they would be defeated by the ingenuity of those who had an interest in evading it. Assuming, for instance, that they prohibited deck loading, the shipowner might construct an awning deck by which means the ship would not be made more safe, but less safe. [Sir WILLIAM HARCOURT: They might prohibit that too—in fact, everything that was dangerous.] If they undertook by the letter of the law to prohibit everything that was dangerous, they would find themselves embarking on a course of legislation that would be endless, embarrassing, and also ineffectual for its object. And they should remember that they were asked to apply that chiefly to foreign ships. The Committee would do an unwise thing if it allowed itself to be led into that kind of legislation. On the other hand, the object of the clause of the Government was to withdraw an illegitimate advantage given to the carriage of cargoes of that description in a particular way. That was a step in the right direction, because it would deprive the shipowner who was going to send such a cargo of an exemption from dock dues which he ought not to have. They must all regret that it was so difficult to deal with that source of danger; but he believed the Government were doing the best they could to meet it by their proposals.

MR. SHAW LEFEVRE said, the object of the clause was to put a limitation on deck cargoes by altering the tonnage laws; but he feared the attempt would prove delusive, and that so far as the safety of life was concerned it would be totally inoperative. In 1871 he suggested a very similar clause, which he considered as merely one bearing on tonnage dues. But there were then such objections to the clause, on the ground that it would legalize deck loading, that he dropped it in his Tonnage Bill. The question now was, whether on the whole it would not be wiser to omit this clause so far as it dealt with tonnage, and relegate the whole question of tonnage to some future Session. There remained the question whether the Committee could do anything with respect to deck cargoes. No one denied that there was danger in carrying such cargoes across the Atlantic, but there was a difficulty in legislating on that point until it was known how the Government proposed to deal with foreign shipping. He did not himself see how they could impose prohibition on foreign vessels entering our ports. The question was, whether they should not at present omit the clause and then make an attempt to prevent deck cargoes on ships coming across the Atlantic by simple prohibition. If that were done, he should feel inclined to assent to the proposition.

Mr. GORST said, he thought the hon. Member for Reading (Mr. Shaw Lefevre) had fairly stated the object of the clause, which was, in fact, a clause for the alteration of the tonnage dues. It would be much better to withdraw the clause, or let the matter be discussed as a question of tonnage apart from any question of saving life at sea. But he would point out how impossible it was to make real progress with the Bill until Her Majesty's Government had made up their minds whether they would or would not deal with foreign ships. That was a question which would meet them at every clause. Having made a Convention with Austria, Hungary, Denmark, France, Italy, and the United States, by which we were bound to accept their measurement of tonnage for the purposes of our light and port dues, it was proposed in this clause to depart from that arrangement, and to have the ships of those countries, if laden in a particular manner, measured over again by Custom House officers. He feared that was a thing which would lead to serious complications.

Sir CHARLES ADDERLEY said, that the hon. and learned Member for Chatham (Mr. Gorst) had found a remarkable mare's nest, for he must deny that this was a proposal to alter our tonnage laws as established by the Act of 1854, but, on the contrary, an attempt to carry them out. There was no increase of dues proposed, but what was intended was that the law should be carried out more effectually than it had been hitherto, by bringing within the measure of tonnage spaces available for cargo, such as deck cargoes, which had escaped both unjustly and mischievously hitherto. What the Government had said with regard to foreign ships was, that they would consider what could be done with respect to those ships loading in our ports, not merely arriving in our ports, which was a very different thing. It was for the Committee to consider whether or not it was wise to keep up an exemption from measurement, which was practically a premium on deck loading. This clause proposed to take away that premium, and he maintained that it was most wise and prudent to do so. Nothing had prevented it hitherto but the failure of devising a method of measurement.

Mr. W. E. FORSTER said, that after what had been stated by the right hon. Gentleman he should feel it necessary to vote with the hon. Member for Derby, and very much because of what had been stated from the Treasury Bench. It was admitted that deck cargoes were one of the greatest possible dangers to life, but this clause, it was acknowledged, would have very little effect. It merely took away a small premium on deck loading. But the Chancellor of the Exchequer told them that the Canadian Government had adopted a plan which answered; why did the Board of Trade not adopt that plan?

Mr. T. BRASSEY said, the danger of deck cargoes varied according to the description of goods carried. He had seen on the 9th of December a deck cargo of cotton from Smyrna to Barcelona carried without the slightest danger, and agricultural machinery could also be safely carried almost at any time; but as regarded the carriage of timber on deck the Royal Commission of which he was a Member arrived at the unanimous conclusion that at least in the winter months, it was a most dangerous proceeding, and should be absolutely prohibited. There might be difficulties in carrying out that recommendation, but, after all he had heard, he maintained there was no impossibility in prohibiting what was generally admitted to be a most dangerous practice. Mr. Rankin, one of the largest merchants at Liverpool in the timber trade, told the Commission that his firm had resolved never again to carry across the North Atlantic in the winter months deck cargoes of timber. He therefore hoped the Government would withdraw the clause, and on the Report bring up some proposal which would be more effectual for the purpose they all had in view.

THE ATTORNEY GENERAL said, he thought that the scope of the clause was misapprehended. It did not deal with deck cargoes in the way of prohibition; but whatever its effects might be, it was simply a tonnage clause. Nobody could say that it was unfair to reckon goods carried on deck as part of the tonnage of the ship. The hon. and learned Member for Chatham had spoken of Conventions with other countries, and held, while he was speaking, a most portentous volume in his hand, but he did not read a line from it to the Committee or produce anything to show that the Conventions he mentioned touched the question at issue. The clause was not intended directly to prevent deck loading, provided no disadvantage would accrue. The hon. and learned Member for Oxford (Sir William Harcourt) had talked of the capacity of the Board of Trade, and no doubt if his hon. and learned Friend had the control himself of all the Departments of the State there would be no difficulties at all in any of them under his enlightened management. It was said they ought to have a clause to prevent the carrying of deck cargoes of a certain description; but we must be careful lest by unwise restrictions we transferred to foreigners the carrying trade of the country, and we must also beware of imposing such restrictions on foreigners as would provoke retaliation.

SIR WILLIAM HARCOURT said, he was glad to have heard the speech of the hon. and learned Gentleman the Attorney General, for with that admirable innocence which distinguished him he had directly contradicted the views expressed by the right hon. Gentleman the President of the Board of Trade. The cat was now out of the bag, for the clause although ostensibly one to prevent deck cargoes; yet it appeared that it did nothing to effect that object, and that they were going under a sham clause to carry out a tonnage policy. Let the country clearly understand that by this clause the Board of Trade did not pretend to discourage deck cargoes, or to do anything to save life. Let it be clearly understood that the Government were not prepared to devise any measure to prevent the dangers of deck cargoes. He would recommend that after what the Attorney General had said the hon. Member for Derby (Mr. Plimsoll) had better treat the clause as a mere tonnage clause, and that the Government should, on the Report, bring up some other clause to protect life at sea, embodying the system adopted by Canada, the greatest exporting country of timber in the world.

SIR CHARLES ADDERLEY said, the attempts of the hon. and learned Member opposite (Sir William Harcourt) to mystify the Committee were futile, because the matter was as plain as plain could be. The Chancellor of the Exchequer had expressly said that the Government did not see its way to prohibit deck cargoes arriving in this country; but he did think that by doing away with what was practically a bonus on deck cargoes, and bringing them within measurement according to the tonnage laws, much good might be anticipated. The clause did not alter the tonnage laws, it merely brought deck cargoes into tonnage measurement in common with other cargo. This portion of the burden of the ship which had hitherto escaped, more than any other portion of the cargo ought to be included. This device for measuring in deck cargo he had described as a "happy thought," and he believed that it met the difficulty. The hon. Member for Hastings (Mr. T. Brassey) admitted that the clause, so far as it went, was good. Then why did he not support it?

SIR ANDREW LUSK said, that the hon. and learned Member for Oxford had left the House, but he must protest against the hon. and learned Member and other hon. Members on the front bench opposite speaking as though they alone were the House of Commons. If the front Opposition bench carried the least weight on the benches behind them on such questions as that now before the House, it would be a bad thing for the country. What was the use of talking so learnedly about stopping deck cargoes? If hon. Members would go down to the docks, they would find that the timber trade, which had principally to do with deck cargoes, was now almost altogether in the hands of foreigners. The right hon. Gentleman the President of the Board of Trade was going in the right way, but he did not propose to go far enough. If they were to have tonnage dues, they ought, to be effective, to be three or four times heavier than would be chargeable under the clause. What he would suggest was the substitution for the proposed dues an *ad valorem* duty of 5, 10, 15, or even 20 per cent—according to the nature of the cargo—on all deck cargo, of whatever kind, whether going out of port or coming in, irrespective of the consideration whether the ships were foreign or British. That was the only solution of the question which he saw. They were all agreed as to the evil of such cargoes, and such a duty as he suggested would, he thought, put a stop to—at least it would greatly limit—the evil. He would support the right hon. Gentleman as far as he could, but he confessed that the clause as it stood in the Bill did not go far enough.

Mr. CLARE READ said, they had now been two hours and a-half discussing what he might almost say was the Amendment of the hon. Member for Derby, in relation to deck loading; and he was bound to say that nothing could prove more injurious to British mercantile and commercial interests than the Amendment now under consideration. Therefore, if the Committee were compelled to divide, he should feel it his duty to vote against the Amendment, because it would prohibit the carrying of any kind of cargo on deck. Some deck cargoes were dangerous and ought to be prohibited. Some were not, and others only became so at certain seasons of the year, and ought to be simply regulated. They were bound to respect the laws of foreigners in their own country; why should they not make laws in reference to foreigners which they would be bound to respect in this country? The hon. Member for Derby made an exception in favour of cattle being carried on deck, and in that he was right, for they were better on deck than packed together in pestiferous holds; but in regard to deck cargoes that were really dangerous, he (Mr. Read) concurred in the opinion expressed that a mere tonnage duty would do but little to prevent their being so carried, and that they should be altogether prohibited in winter and regulated in summer.

Mr. MUNDELLA said, they had a right to make and to enforce the conditions on which they would receive the produce of other countries; and if they did so, he believed that foreign merchants would fall in with, and conform to, our laws. It had been asked, What would Canada say? but the fact was that we were endeavouring more to assimilate our legislation to the laws of Canada than otherwise. He concurred in the remarks of the hon. Gentleman who had just addressed the Committee (Mr. Read), and in his (Mr. Mundella's) opinion, the best course the Government could pursue would be to withdraw the clause and substitute another well-considered one. If the clause were not withdrawn, he should certainly vote against it. It was admitted that the shipping interests of foreign nations were well aware that they could not compete with British shipping; but it was for the interest of both the British and the foreign shipowners that life and property on board their vessels should be protected, and his belief was, that if the question at issue were grappled with courageously, not only would the sympathy of foreign countries be obtained, but an important step would be taken towards the saving of life at sea.

Mr. MAC IVER said, he was acquainted with the trade of Mr. Rankin, to which reference had been made in the discussion. The late Mr. Rankin was his (Mr. Mac Iver's) father-in-law, and the present firm of Rankin, Gilmour, and Co. continued to import timber largely. Their experience all pointed in the direction in which he (Mr. Mac Iver) had already endeavoured to argue. The danger was not in deck cargoes generally, but in their excess; and even of square timber a moderate quantity might be carried on deck with perfect safety, provided it was properly secured. The same was true of cotton, and other things; but he (Mr. Mac Iver) could imagine no more dangerous form of deck cargo than an excessive load of deals, owing to the difficulty of making them fast. It came to this, that certain forms of deck loading might reasonably be permitted, while others should be discouraged. Legislation was he (Mr. Mac Iver) thought only required to meet the case of dangerous timber deck loads coming across the Atlantic in winter time; and the Board of Trade clause was entirely useless for this purpose, although in other respects an interference with legitimate trade. The clause, no doubt, imposed a tax upon deck cargo in general, but not enough to seriously affect any dangerous form of deck loading. It had been really framed to meet the case of the *Bear*, which was the subject of litigation between his (Mr. Mac Iver's) late firm and the Board of Trade in relation to tonnage measurement. The effect of the clause would not be to discourage deck loading at all, but only to discourage awning decks; and the very best and safest coasting steamers were those which, like the *Bear*, carried their deck cargoes under awning decks. The *Bear's* awning deck was a mere shelter which increased the safety of the vessel and her comfort for passengers and cattle, but without adding anything to her carrying capacity; and the practical incidence of the clause would be to place that type of vessel at a special disadvantage in competing with open deck ships, as the open deck ship was only to be taxed for space when actually occupied by deck cargo, while vessels of the *Bear* construction were to be subjected to a permanent penalty by having their entire awning deck space always measured in the tonnage. He (Mr. Mac Iver) was greatly disappointed with some of the proposals of the Government. There was much in their Bill which was admirable, but the country expected something better than clauses like this. They afforded no settlement of shipping questions which required settlement, and it was surprising that Her Majesty's Ministers should ask hon. Members to go through the solemn and tiresome farce of debating clauses which everybody knew could not answer their intended purpose. The Government had already got the public opinion of the seaports against them in regard to Clause 3, and it would be the same in regard to other clauses, including the one now under discussion. There was not a word of approval from Liverpool, or any of the great sea-ports, for the Bill in its present form, and he asked them to take it back again and re-cast it.

Mr. WATKIN WILLIAMS thought the hon. Member who had just down (Mr. Mac Iver) was hard upon the Government, and as Member for a constituency in close proximity to that represented by the hon. Member, he could not confirm the condemnation in which the hon. Member had indulged. He could not agree with him that the conduct of the Government had not been approved by any of the great maritime ports of the Kingdom. On the contrary, he was bound to say that the efforts of the Government in this matter had been highly appreciated everywhere. From information which he had obtained in the neigbourhood of Liverpool and Birkenhead, he must say, if there was one thing in which there was unanimity, it was this—that the Government had shown an honest determination to deal with this exceedingly difficult subject properly and thoroughly. ["No, no!"] Well, he occupied, with reference to this Bill, as independent a position as the hon. Member, and he was as anxious as any hon. Member could be to make the Bill such as would secure the objects in view. With respect to this particular clause, the difficulty arose from the fact that they had to deal with foreign as well as British ships. He did not see why they should exclude foreign ships from the operation of the Bill. The main object of the Bill was the protection of life, and he did not see why suitable regulations and restrictions adopted for that purpose should not be applicable to all ships either coming into or going out of British ports. They had already agreed to certain clauses which prohibited certain practices. Why should they not make it compulsory on foreign vessels to abstain from deck loading, and say to them—"If you come here, we shall insist upon placing upon you the same restrictions as we impose upon our own vessels, and thereby not only protect the lives of seamen, but also at the same time prevent the ruinous competition with them which the neglect of these regulations enables you to carry on?" He respectfully asked the Government what objection there could be to that course, and whether, either by heavy penalties, or the imposition of duties which would practically be prohibitive, they might not include foreign as well as British ships within the operation of the Bill? He thought that foreign Governments, instead of complaining of our putting foreign ships that entered our ports substantially on the same footing as our own, not for paltry profit or trade, but for the grandest consideration—namely, the safety of life—would applaud our action. He wished to know whether it was not possible to deal with this question in a bolder style; and with regard to the Amendment he did not desire to vote against the Government, but he thought the suggestion he had made deserved consideration, and if adopted, unless there were some insuperable objections, might clear away a great difficulty.

THE CHANCELLOR OF THE EXCHEQUER said, the Committee had now come to a point with regard to the Bill at which it was necessary for them to consider very carefully both what they were about to do immediately, and what they looked forward to do with regard to the measure generally. He thought the discussion of that evening had thrown a good deal of light upon difficulties some of which, perhaps, even the more sanguine promoters of this reform had not been quite ready to perceive, but which were now beginning to make themselves felt. With regard to the particular question now before the Committee, he could not think there was likely to be any very great difference of opinion among them. The hon. Member for Derby had made a proposal which, from his point of view, was, of course, one which they accepted with respect, but which he (the Chancellor of the Exchequer) thought the great majority of the Committee would feel themselves unable to agree to, because that proposal was one which the Government thought impossible to work out, and which he was quite satisfied, would lead to most inconvenient consequences. The Committee had been carried into a general discussion of the clause on which the Amendment was founded, and, further, as to the principle on which they could deal with foreign ships, and then came the real difficulty. The Government, by the measure, were endeavouring to prevent as well as they could some of the great dangers to which the lives of our seamen were exposed. They had passed a clause by which they had thrown on shipowners a great responsibility in case of their sending ships to sea in a dangerous state. They had given to a Department of the Government the power to stop ships laden in a dangerous manner, and they had made certain regulations as to the carriage of particular cargoes. And now they had come to another question which had been very much before the country—the question of deck loads. The Bill of the Government did not propose to deal with the question of deck loads in the stringent manner in which the hon. Member for Derby and those who were his particular supporters would have them deal, and they said frankly that they were unable to do so. They thought it would be impossible to work out any such system as the hon. Member for Derby proposed; but, although they were unable to adopt his proposals, they thought they had done something in the Bill they had proposed; and, in the first place, by giving power to surveyors of the Board of Trade to detain ships improperly loaded. That, however, applied to British ships only. With regard to foreign ships, the question involved great difficulties; but, as he had already said, the Government were considering it, and hoped to be able by-and-bye to make some proposal on the subject which would be accepted as satisfactory. The hon. Gentleman the Member for Derby proposed that they should deal with the question of deck loads in a manner which would apply not only to cargoes going outwards, but to those coming inwards also. With regard to cargoes going outwards, there was, comparatively speaking, no difficulty, because the matter was left to the discretion of the officers of the Board of Trade, giving the shipowner the right of appeal; but with respect to cargoes coming inwards, they must lay down an arbitrary rule and say that any ship which came from a foreign port violating the arbitrary rule should be subjected to a penalty. That raised a question of very great difficulty. The hon. Member for Derby considered the clause as it stood a very bad one, but thought that he could improve it, as if it were a wild orange tree, on which he could graft a cultivated orange, and he proposed to do so by an Amendment the effect of which would be to prohibit foreign vessels coming into or going out of our ports from carrying deck loads, while British vessels engaged in the coasting trade would be exempted from the operation of the clause. This would really amount to a Protectionist measure, ensuring to British ships in the coasting trade an immunity denied to foreign ships, and if the hon. Gentleman the Member for Reading (Mr. Shaw Lefevre) was disposed to adopt that principle of Protection, he would be acting diametrically opposite to the doctrine of the political school in which he had been educated. That was a principle which the Committee could not sanction; but independently of that objection, it was impossible to apply arbitrary rules, as to deck loading, to foreign ships. Canada, which was one of the most important maritime countries in the world, and peculiarly interested in the question, had already dealt with it by an excellent code of laws, the efficiency of which was admitted by the hon. Member for Derby. Was Canada now to be told that her ships would not be admitted to our ports, because they were not loaded according to an arbitrary rule laid down by the British Parliament? Even if the legislation of Canada on this point were adopted by the Committee, how were they to deal with the ships of other countries, which might have adopted different regulations? Suppose a vessel laden with timber from Norway arrived safely in a British port; were the Norwegians to be told that because their regulations as to deck loading differed from those of the Dominion of Canada, their ship was not to be permitted to enter save under a penalty? We should certainly pile up difficulties in the discussion into which we should have to enter with foreign Governments. The further we went into the question the more we should be involved in increasing difficulties. It was easy enough to put these provisions in an Act of Parliament; but he ventured to predict that if an Act were passed without due consideration on the points he had mentioned the country would be involved in difficulties of a most serious kind which would lead to the breaking down of a good deal of intended legislation. Hon. Members were all agreed as to the desirability of checking dangerous modes of loading. We could not prevent all danger, but he maintained that by the legislation proposed this year, in the present measure and the Maritime Contracts Bill, Her Majesty's Government were making a very earnest, and, he hoped an effective move in the right direction of limiting those dangers to which the hon. Member for Derby had called the attention of the country—namely, the dangers to which our seamen were exposed. If the Committee rejected the Amendment and proceeded to discuss whether this clause should stand part of the Bill, hon. Members would be able to ask whether the Government in proposing the clause were doing anything or nothing. He hoped hon. Gentlemen would reserve that question till it came on for discussion at the proper time. The question raised by the Amendment which the hon. Member for Poole (Mr. Evelyn Ashley) had placed on the Paper had also been discussed in the course of the present debate. When the hon. Member's proposal was brought forward, the Government would be quite prepared to discuss it on its merits, but it had nothing to do with the question which the Committee had immediately to decide.

MR. W. E. FORSTER said, he could not but think that the right hon. Gentleman the Chancellor of the Exchequer in his ingenious speech had placed the Committee in a very awkward position. The Government should have told them frankly what they intended to do in reference to different portions of the Bill. By their not doing so, the Committee had been debating with great difficulty, because they did not know what line the Government meant to take with respect to foreign ships, and it was impossible to prevent that question from being introduced into the discussion of almost every clause. He had expected that the Chancellor of the Exchequer would have proposed to withdraw the clause, until the Government had made up their mind as to how they would deal with foreign ships. He still thought it would be advisable for the right hon. Gentleman to adopt that course and to bring up the clause at the end. They were asked to vote for the clause and against the Amendment of the hon. Member for Derby without any explanation of the intention of the Government with reference to foreign vessels.

MR. PLIMSOLL said, he was afraid he was endeavouring in vain to make the clause consistent with common sense. Its first section was really nonsense, and would not confer the immunity that was contended for in respect of coasting traders. Reference had been made to Canada, but he could wish that our legislation was as creditable to this country as Canadian legislation in this matter was creditable to Canada. He would be content with legislation as to deck loads similar to that which had been carried in Canada. With regard to the carrying of reaping machines on deck, he did not say that it might not be safe to so carry one or two such machines, which might be done according to proper regulations; but there was a great difference between having such regulations and leaving them entirely outside. It was asked—could they enforce legislation against foreign ships?—but nothing could be easier, for the Government of India enforced similar legislation at Bombay in reference to the carrying of pilgrims. The moment they made these regulations, every shipowner in the world would become acquainted with them, and take care when loading a vessel for these ports to keep within the law. According to a Return from Lloyd's in the 10 years from 1852 to 1862, when the prohibitions were in force, the loss of life had been only one-fourth of what it had been since the removal of those prohibitions, although the chances of escape were infinitely greater now than they were then. He had tried to amend the clause, but after consideration he believed it was impossible to resist the impression that it was impossible to amend it, inasmuch as it was an imposture from the outset. Whatever became of it, even if it were carried, he should treat it as a mere tonnage clause, and bring up another one on the Report to deal with deck cargoes.

Mr. T. E. SMITH said, that the Return which had been referred to by the hon. Member for Derby applied only to the Quebec trade, and not to that of the other Canadian ports. The Return quoted was correct enough as far as it went; but the real truth was that since the repeal of the legislation as to deck loads the casualties in the whole Canadian trade had decreased 21 per cent, and the total losses had decreased 15 per cent. Statistics would prove anything if they were only selected according to a particular fashion. The effect of the Amendment would be that British ships carrying deck loads would be affected whilst in the foreign trade, and foreign ships would be affected whilst employed in the coasting trade as well. He had been alarmed by the prognostications of hon. and learned Gentlemen on both sides of the House about the consequences of dealing with foreign ships, but the principle was a sound one, and he was re-assured by recollecting that at that moment it was acted upon in the port of New York, in respect to the emigrant vessels, which had to carry the passengers not according to the law of the country to which they belonged, but according to the law of the State of New York. He could not see any difficulty in the matter. If the law was laid down, foreign ships would comply with it. His objections to the clause had been considerably modified by the concessions made by the Government, and he approved of its principle, though he could not agree to the way in which it was attempted to be carried out.

Mr. D. JENKINS feared that the clause would tend to increase deck loading, as the penalty for deck loading would be only 20*s*. or 30*s*. per ship. He hoped the Government would withdraw the clause, or do that which would check the evil of over deck-loading ships.

Mr. BROMLEY-DAVENPORT said, he had great objection to deck loading in general; but he would mention one case which had occurred within his own knowledge where he thought it was very proper. He had seen the loading of a vessel by which he intended to go as a passenger. He saw certain packages placed in the hold, and planks above them; but he found that those packages contained lucifer matches, and he insisted that they should be placed on deck. He did not think they could be safely taken in the hold, and certainly they were much safer on deck. The vessel arrived safely at her journey's end.

Mr. W. E. FORSTER wished the Committee clearly to understand what they were about to vote for. Two ways had been proposed of meeting the difficulty. One, by the Government, was the imposition of a very small fine, which would go a very little way in prohibiting deck loading; the other by the hon. Member for Derby, the principle of which was that there ought to be a prohibition of some — not of all deck cargoes—the exceptions to be afterwards introduced.

Mr. GREGORY said, he understood that the Government would be prepared further to consider the question, if they were supported on the clause, with a view of more effectually remedying the evil.

Lord ESLINGTON said, he should vote against the Amendment, because it went too far; and he should vote against the Government clause, because it did not go far enough.

Mr. EVELYN ASHLEY said, he could not, as a private Member, move a clause imposing taxation. The Committee should support the hon. Member ber for Derby.

Mr. MORGAN LLOYD said, that in voting for the Amendment, he did not pledge himself to the exact words, but as a protest that something further was required than that proposed by the Government.

The CHANCELLOR of the EXCHEQUER said, the Government had made certain proposals which were contained in the Bill. What was the counter proposition? Hon. Gentlemen opposite had nothing to propose. They only intended to vote against the clause with a view of getting something or other. Whatever that other might be, the Government could not accept the impracticable Amendment of the hon. Member for Derby.

Question put, "That the words 'If any ship, British or foreign,' stand part of the Clause."

The Committee *divided*:—Ayes 108; Noes 75: Majority 33.

On the Motion of Lord Eslington, Amendment made in page 8, line 36, by leaving out from "trading" to "man," in line 37, both inclusive, and inserting "other than home trade ships as defined by the Merchant Shipping Act of 1854."

Mr. T. E. SMITH moved, as an Amendment, in page 8, line 37, to leave out "as deck cargo," and insert "on deck."

Sir CHARLES ADDERLEY said, he could not accept the Amendment of the hon. Gentleman, because its effect would be to nullify the clause altogether.

Amendment, by leave, *withdrawn.*

Mr. EVELYN ASHLEY, in moving as an Amendment, in page 8, line 40, to leave out "timber," said, the result of the division had been to place them in the unsatisfactory position that timber cargoes, the cause of nine-tenths of the evils of overloading, were dealt with simply by a clause, enabling the Board of Trade to measure, for tonnage dues, certain parts of vessels hitherto exempted. His object was to propose on a subsequent occasion a prohibitory duty on timber carried on deck in all ships, be they British or foreign, coming to any port in the United Kingdom during the winter months. He admitted that he was satisfied with the Canadian law on the subject; and anyone who read the evidence given before various Committees and a Royal Commission on the fearful loss of life which occurred in ships crossing the Atlantic, especially in winter, laden with timber, must come to the conclusion that some stringent law was necessary. He should press his Amendment to a division, unless the Government told them what they meant to do in regard to preventing deck loads.

Amendment proposed, in page 8, line 40, to leave out the word "timber."—(*Mr. Ashley.*)

Sir CHARLES ADDERLEY thought it very hard that that clause should not be dealt with on its own merits, but should be argued in reference to something else with which it had nothing to do. If that something else was proposed to be done by a separate clause, he would be quite ready to discuss it. But the clause now before the Committee had for its sole object the removal of a premium on deck loading in the shape of an improper and mischievous exemption from tonnage dues which now existed, and it did not pretend to be a tax upon, or a prohibition of, deck cargoes. As it proposed to bring deck cargo generally into the space measured for tonnage, it would be extraordinary specially to exempt timber; and, therefore, he could not accept the Amendment.

Mr. RATHBONE urged the Government either to accept that Amendment or to state that they were prepared to deal in an effective manner with the question of deck cargoes in the winter months.

Mr. MAC IVER deprecated opposition to the clause.

Mr. SHAW LEFEVRE remarked, that if cargo on deck was to pay tonnage dues, it would be impossible to exempt timber; but if the clause were agreed to, it would still be practicable to deal exceptionally with deck cargoes of timber during a particular season of the year.

Mr. T. BRASSEY asked the Government to promise on the Report to bring up a new clause to prevent the carrying of timber on deck across the Atlantic in the winter—a practice which all practical men admitted to be dangerous to life. They might at least go as far in that direction as the Canadian Legislature had done; but as it was, they had made no proposal on the subject.

Mr. RITCHIE said, he had voted with the Government in the last division, and would do so again, because that clause ought to be treated as a mere tonnage clause; but, at the same time, he reserved to himself the right of hereafter supporting the prohibition of deck cargoes under certain limitations.

Mr. EVELYN ASHLEY said, there was no other clause in the Bill referring to deck loading, and therefore the hon. Member for the Tower Hamlets (Mr. Ritchie) would not find another opportunity of carrying out his object. Timber ought to be dealt with in a separate clause; and there could be no difficulty in providing that timber carried on deck should pay tonnage dues in the summer months, and Customs duties *plus* the tonnage dues in the winter months.

Question put, "That the word 'timber' stand part of the Clause."

The Committee *divided:*—Ayes 101; Noes 91: Majority 10.

Lord ESLINGTON moved, as an Amendment, in page 8, line 40, the omission of the word "stores," as dues had never been imposed upon the stores of ships.

Sir CHARLES ADDERLEY said, he could not accept the proposal, for the carrying of stores as deck cargo was specially prohibited.

Amendment *negatived.*

On the Motion of Mr. T. E. Smith, Amendment made in page 8, line 40, by leaving out "(not being exempted goods hereinafter mentioned.)"

Lord ESLINGTON moved, as an Amendment, in page 9, line 2, after "payable," to insert "in respect of the period in which such goods are on board," and said, that the object of the Amendment was to provide that goods should only be liable to tonnage dues during the period within which they were actually in the ship.

Sir CHARLES ADDERLEY said, he could see no necessity for the proposed change, and, therefore, could not accept the Amendment.

Amendment *negatived.*

Sir ANDREW LUSK moved, as an Amendment, in page 9, line 3, after the first "tonnage," to insert "double," on the ground that single tonnage dues were too small, but that to double or treble the amount would do something to discourage deck loading, though but little.

Sir CHARLES ADDERLEY said, the object of the clause was to take away an exemption which was now given to deck loading, and the Amendment would introduce something beyond in the nature of a fine, which was not intended by the clause. He must therefore oppose it.

Sir WILLIAM HARCOURT said, he thought it most desirable that that declaration should be distinctly understood. It appeared from the remarks of the right hon. Gentleman that the object of the clause was not to check deck loading, and as there was nothing in the Bill which would have that effect, he hoped before the measure left the House either the Government would propose such a clause, or that the hon. Gentleman the Member for Derby would propose one which would receive the assent of the Committee. The Government had not been able to discover a method of checking deck loading. What the country desired was to have a clause which would ensure the main object of the Bill, and not simply a tonnage clause.

The CHANCELLOR of the EXCHEQUER contended that the hon. and learned Gentleman was entirely in error in supposing that the Bill did not deal with the great evils arising from deck loading, for its whole spirit and scope was to prevent improper loading, and to throw on the owner and manager of a ship responsibility in that respect. Beyond that, it empowered the officers of the Government to stop ships which were improperly loaded. Whether any other provision could be devised for carrying out the principle was another question.

Mr. MAC IVER said, that the clause was a direct discouragement to the best class of steamers. It was a tonnage clause, and a thoroughly bad tonnage clause, and nothing else.

Sir ANDREW LUSK said, that as the Amendment failed to meet with any support, he would, with the leave of the Committee, withdraw it.

Amendment, by leave, *withdrawn.*

MR. GRIEVE moved, as an Amendment, in page 9, line 3, the insertion of the following Proviso, after the word "goods:"—

> "Provided always, That it shall not be lawful for a vessel leaving North America between the first day of September and fifteenth day of April, nor from the North of Europe between the first day of October and the fifteenth day of April to carry deck cargo."

SIR CHARLES ADDERLEY hoped the discussion would be reserved till some future proposition was made for the prohibition of deck cargoes.

MR. T. E. SMITH suggested that the last words of the Amendment should be "to carry timber as deck cargo."

THE CHANCELLOR OF THE EXCHEQUER said, that if this Amendment were to be considered a practical one, it would require still more important alterations. It proposed to make it unlawful for vessels leaving North America to carry deck cargo, but where were the vessels supposed to go? Could the Committee say what should be lawful or unlawful for a ship sailing from New York to Havre? There was a legitimate desire on the part of the hon. Member to do something to prevent deck loading; but it was a specimen of the vague character of many of the proposals to carry out that desire.

SIR HENRY JAMES said, the hon. Member for Greenock (Mr. Grieve) was proposing to do what the House found out 100 years ago that it could not do—namely, legislate for North America. How could any Act that they might pass be enforced on vessels starting from foreign ports? He suggested that his hon. Friend should withdraw his Amendment.

Amendment, by leave, *withdrawn.*

MR. T. E. SMITH, in moving, as an Amendment, in page 9, line 4, to leave out from "deemed," to "to," in line 7, both exclusive, said, it would place cargoes upon awning decks on the same footing as those upon open decks. He agreed with the principle that deck cargoes should be included in the tonnage measurement; but if this clause were passed as it stood, the whole space under awning would be measured, whether occupied or not. Thus, a ship from the Baltic often brought a few cattle, and if they were on an open deck, exposed to the inclemency of the weather, the charge would be only on the number of stock; but if they were under an awning, the shipowner would have to pay, for all the awning would protect was possibly 100 or 150.

SIR CHARLES ADDERLEY opposed the Amendment.

MR. HERSCHELL supported the Amendment as being in the direction which he understood the Bill of the Government pointed to—namely, of discouraging any extreme use of the awning space for cargo.

MR. W. STANHOPE also supported the Amendment, and expressed a hope that the Government would at all events make some regulation to meet the object in view with regard to the home trade.

MR. RATHBONE also appealed to the President of the Board of Trade to accept the proposed alteration.

MR. GORST contended that the clause was really one for the suppression of awning decks, which decks conduced to the safety and comfort of passengers, and the conveyance of animals.

SIR CHARLES ADDERLEY explained that the sole object of the Government in this particular had been to prevent awnings being put over cargo decks for the purpose of avoiding the dues. But as the feeling of the Committee was evidently in favour of the Amendment, he would accept it.

Amendment *agreed to;* words *struck out.*

MR. WATKIN WILLIAMS said, that the clause as it stood provided simply that if the goods were carried on board, the space in which they were so carried was to be added to the registered tonnage, and the dues to be payable. In order to remove all ambiguity, he proposed to add the following Proviso to the clause:—

> "Provided that, The said dues payable with respect to such added spaces shall be payable only for and during the time such cargo is on deck."

SIR CHARLES ADDERLEY said, that if the matter were not pressed then he would consider it with a view to bring up on the Report an Amendment similar to that proposed by the hon. and learned Member.

Amendment, by leave, *withdrawn.*

On Question, That the clause, as amended, stand part of the Bill?

Mr. NORWOOD said, he could not let the clause pass without expressing his disapproval of it. He thought it a very weak and inefficient clause. There was no power taken to ensure the levying of the dues by the port authorities. It appeared to him that as a clause relating to the tonnage of ships, it was not in the right place. The Bill was a Bill the object of which was to save life at sea, and he thought it a provision, as far as deck loading was concerned, altogether insufficient for its professed purpose.

Mr. MACDONALD said, they had been now occupied several hours in discussing the Bill, and he begged leave to move—"That the Chairman report Progress, and ask leave to sit again." ["Oh, oh!"] Hon. Members might cry "Oh," but he would adhere to his Motion. The truth was, that the House was getting into a fog. To-morrow they might see the whole subject in quite a different light, so might the Government. They sometimes changed their opinions as much as four times in a night. On a former occasion, when a clause of this kind was discussed and under consideration, the right hon. Gentleman the Premier came down and struck it out altogether. He thought the House ought to consent to the Chairman reporting Progress, and that the House ought to go home at an hour in accordance with the habits of the respectable portion of the community. He could not see how they could shut up places for drinking and places for business at certain hours while they kept their own House open and their bar open. If the House rose at 12 o'clock it would prevent many a muddle in their Acts. It was notorious that many of the Members of that House could not now fairly consider any question. That was so every evening when they reached this time. If they would do it on no other grounds, they should do it for the purpose of teaching parties going to rest at a proper time, and also the virtue of early rising, and he thought the time had come when the sittings of the House should close not later than midnight.

Motion made, and Question put, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Macdonald.*)

The Committee *divided:* — Ayes 8; Noes 157: Majority 149.

Question again proposed.

Sir WILLIAM HARCOURT said, that he, in common with many other hon. Members, was under the impression that the clause was intended to insure the safe loading of grain cargoes, and also to prevent timber deck loading, especially in winter. Both of these objects were admitted to be of great importance, and the neglect of proper precautions led to great loss of life and property. It had been admitted by the right hon. Gentleman the Chancellor of the Exchequer that the clause did not deal effectually with either of these dangers. He should like to have a definite pledge from the Government that, before they passed the clause, they would introduce a clause which would effectively secure objects which they themselves admitted were important, and at the same time admitted the clause did not provide for. If they had been able to deal with grain cargoes irrespective of foreign ships, why, he would ask, could they not in the same way deal with timber cargoes, especially as the danger was greater during the winter months, instead of relying on the general clauses of the Bill? Before the Committee was asked to agree to the clause he wished to know from the Government whether they intended to propose some more definite proposal against deck loading with timber during the winter months, especially as they were now told that the clause was not intended as a check upon it, but rather to remove an encouragement.

Mr. PLIMSOLL wished to add to what had fallen from the hon. and learned Gentleman who had just sat down, his (Mr. Plimsoll's) regret that the whole evening should have been spent in discussing, not a provision for saving life at sea, but a mere tonnage clause, and a clause which if it had not been amended by the hon. Member for Tynemouth (Mr. T. E. Smith) would absolutely have added very considerably to the peril of life. He could not conceive grosser mismanagement on the part of the Government than to have introduced such a clause.

The CHANCELLOR of the EXCHEQUER said, that there were many evils connected with the subject which they could not deal with, but the object of the clause was to increase the care taken in loading ships. The Government had made their proposals after serious consideration; but if other proposals should come before them they also would be considered candidly and fully. They, however, did not see their way to any further proposals at present; but they were considering the question how far they could deal with foreign ships. They were considering also some representations which had come from Canada in reference to our shipping relations with that country; and they would soon have the opportunity of seeing a gentleman who would probably throw light upon the question; and if they should see their way to do so they would make further proposals. It would, however, be wrong for him to say at present that the Government had any scheme which they would bring forward upon the subject other than those contained in the Bill, and he would frankly say they had none.

Mr. MUNDELLA said, that after that admission the Committee ought to ask the Government to take back the clause, in order that they might further consider the subject.

Mr. RATHBONE, on the other hand, hoped that the clause would be passed, and added that he could not agree that there was no probability of the Government dealing further with the question.

Sir WILLIAM HARCOURT said, he had asked the question of the Government for the purpose of obtaining information on the important subject of "deck cargoes;" and as the answer he received was not satisfactory, he would suggest to his hon. Friend the Member for Derby to bring in a clause himself on the subject. It was not desirable, under the circumstances, to go to a division upon the clause, because it would prove worthless to provide against loss of life at sea. The question of deck cargoes had not been advanced that night one inch, and therefore it would be better to reserve it for future consideration, unless the Government were prepared to deal with it by an effective clause. England, as the first maritime nation of the world, ought not to shrink from laying down a rule upon this question that should set an example to the whole world.

Mr. MAC IVER said, it would be far better to reject the clause altogether.

Question put.

The Committee *divided:* — Ayes 95; Noes 58: Majority 37.

Motion made, and Question, "That the Chairman do now leave the Chair," put, and *agreed to.*

House *resumed.*

Committee report Progress; to sit again upon *Thursday.*

OFFENCES AGAINST THE PERSON BILL.

[Bill 1.]

(*Mr. Charley, Mr. Whitwell.*)

COMMITTEE. [*Progress 6th April.*]

Bill *considered* in Committee.

(In the Committee.)

Mr. P. A. TAYLOR said, he would move that the Chairman do leave the Chair, for it was a pity time should be wasted in discussing a Bill which possessed no merit, and which had no friends.

Mr. CHARLEY opposed the Motion, on the ground that it was a most unfair method of attempting to destroy the Bill, when a substantial majority of the House had decided to go into Committee upon it. The Bill was a most salutary measure, and rested on the unanimous recommendations of most distinguished men on both sides of the House.

Motion made, and Question put, "That the Chairman do now leave the Chair."—(*Mr. P. A. Taylor.*)

The Committee *divided:*—Ayes 43; Noes 62: Majority 19.

Mr. DODDS said, that in the absence of the hon. Member for Hythe (Sir Edward Watkin), who had given Notice of important Amendments, he would move to report Progress.

Motion made, and Question proposed, "That the Chairman report Progress, and ask leave to sit again."—(*Mr. Dodds.*)

Sir WILLIAM HARCOURT said, that the subject was a most important one, dealing as it did with an important alteration of the criminal law, and ought to be taken up by the Attorney General, on the responsibility of the Government itself, instead of being left to the chance of being smuggled through the House.

The ATTORNEY GENERAL said, it was not likely, according to all appearance, that the Bill would be smuggled through the House. An admitted defect existed in the law relating to infanticide which would be remedied by the Bill if it were passed with certain Amendments which he had placed upon the Paper, and he did not think it was of much importance whether it was introduced by himself or by the hon. and learned Member for Salford. He thought the House would do well to entertain it.

MR. CHARLEY defended the Bill, ridiculing the Amendments of the hon. Baronet (Sir Edward Watkin), which proposed to deal with the bastardy law, the law of husband and wife, the Poor Law, and the law of seduction.

MR. MONK advised that the Bill should be accepted, together with Amendments to be introduced by the Government.

MR. OSBORNE MORGAN supported the Motion to report Progress.

MR. DODDS thought it his duty to persist in his Motion in the absence of many hon. Gentlemen who had given Notice of Amendments.

MR. P. A. TAYLOR said, that the observations of the hon. and learned Gentleman the Attorney General showed that the Bill ought not to be allowed to pass, as the point he referred to was not in the Bill at all.

MR. CHARLEY showed that the words in the Bill—"during its birth"—dealt with the point.

Question put, and *agreed to.*

House *resumed.*

Committee report Progress; to sit again upon *Friday.*

HOUSE OCCUPIERS DISQUALIFICATION REMOVAL BILL—[BILL 29.]

(*Sir Henry Wolff, Sir Charles Russell, Mr. Onslow, Mr. Ryder.*)

SECOND READING. ADJOURNED DEBATE.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time" [22nd March].—(*Sir H. Drummond Wolff.*)

MR. WADDY moved that the Order be discharged, complaining that it was kept on the Paper night after night.

MR. RAIKES said, that it would be wanting in courtesy to the hon. Member who had charge of the Bill to pass such a Motion in his absence.

MR. DODDS pointed out that hon. Members were brought down night after night to watch this Bill, and though it might not be quite right to discharge the order on that occasion, if the same course were persisted in, he should certainly resort to such a Motion on a future occasion.

Motion, by leave, *withdrawn.*

Debate further *adjourned* till *Thursday.*

PIER AND HARBOUR ORDERS CONFIRMATION (ALDBOROUGH, &C.) BILL.

Considered in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill for confirming certain Provisional Orders made by the Board of Trade under "The General Pier and Harbour Act, 1861," relating to Aldborough, Cattewater, Gardenstown, and Llandudno.

Resolution *reported:* — Bill *ordered* to be brought in by Sir CHARLES ADDERLEY and Mr. EDWARD STANHOPE.

Bill *presented,* and read the first time. [Bill 131.]

House adjourned at half after One o'clock.

HOUSE OF COMMONS,

Tuesday, 25th April, 1876.

MINUTES.]—NEW WRIT ISSUED—*For* Aberdeen County (Western Division), *v.* William M'Combie, esquire, Chiltern Hundreds.

COURT OF SESSION (SCOTLAND)—RETURNS.—QUESTION.

MR. GRIEVE asked the Lord Advocate, When the Return showing the names of all litigated cases decided in the Court of Session, in which expenses have been taxed by the Auditor in 1873-4, name of the case, &c., moved for 1st June 1875, ordered to lie upon the

Table 11th August, ordered to be printed 13th August 1875, will be in the hands of Members?

The LORD ADVOCATE, in reply, said, the Papers were in the hands of the printer, and would be delivered to Members in a few days.

INDIA—MAJORS OF ARTILLERY—THE ROYAL WARRANT, 1872.—QUESTION.

Colonel JERVIS asked the Under Secretary of State for India, Whether, as it is affirmed by the War Department that no—

> "Memorials or Letters addressed to the Commander in Chief in India by Officers of the Royal Artillery, complaining of the mode in which the Warrant of July 5th 1872, had been carried out by the Government of India, had been forwarded to the War Office up to 25th June 1875,"

he can explain the Statement in Parliamentary Return, India Office, of the 6th March 1876, made by Lord Napier of Magdala in Letter dated Simla 1875, signed "P. S. Lumsden, Maj. Gen. Adj. Gen. in India," addressed to the Secretary Government of India, Military Department, in reply to an Address of the House of Commons, that such Memorials were forwarded to the Deputy Adjutant General, R.A. Horse Guards, War Office, on May 15th 1873, and to the Adjutant General, Horse Guards, War Office, 18th February 1875; whether the attention of the India Office has been called to the subject of such Memorials by the War Office since February 1875; and, if so, when; and, whether, when the Income Tax was levied in India, any calculation was made by the Government of India as to the amount of income, if any, made by officers commanding batteries out of contract allowances, and Income Tax raised upon it?

Lord GEORGE HAMILTON: The Commander-inChief in India corresponds direct with the Horse Guards, and I am afraid that I cannot give any information in addition to that contained in the Return alluded to; but we will make further inquiries. The attention of the India Office was called by His Royal Highness the Commander-in-Chief in July, 1875, and again within the last few days, to certain of these memorials, but whether they were signed by the officers alluded to I cannot say. We have no information upon the third Question.

SPAIN—MISCARRIAGE OF JUSTICE.—MURDER OF A BRITISH SUBJECT.

QUESTION.

Mr. DODSON asked the Under Secretary of State for Foreign Affairs, Whether it is a fact that Juan Fernandez y Beltran who, in July 1871, in open day killed James Frederick Roberts, a British subject, at San Juan del Puerto near Huelva in Spain, having since been suffered to remain at large, surrendered some weeks ago to take his trial and was acquitted; whether there is not ground for believing that the successive inquiries and trials which have taken place in connection with this case have resulted in a gross miscarriage of justice; whether Her Majesty's Government have taken any and what steps to secure a fair trial of the appeal which the widow of Mr. Roberts is reported to have lodged against the recent decision; and, whether he will lay upon the Table of the House any Papers or Correspondence relating to the case of Mr. Roberts?

Mr. BOURKE: It is true that the man mentioned in the Question of the right hon. Member surrendered last October at Huelva. He was tried in February, and acquitted, but the case was referred to Seville upon appeal. As to the second part of the Question, I am sorry to say that there is a very strong ground for this belief. As to the third part of the Question, Her Majesty's Ministers at Madrid and Her Majesty's Consul at Cadiz have taken, and are taking, every step in their power to obtain a proper trial of the appeal; and these efforts have been approved by Her Majesty's Government. The expense of the appeal will be borne by the Treasury. As to the production of Correspondence, if the right hon. Gentleman will communicate privately with me, I dare say we can arrange something which will be satisfactory to him.

ARMY—THE GUARDS—STOCK-PURSE FUND ALLOWANCES.—QUESTION.

Mr. A. MOORE asked the Secretary of State for War, If he would state to the House what are the services which the Stock-purse Fund Allowance of £158 5*s.* 6*d.* per Company of the Guards, which is inserted without explanation or detail in the Return laid upon the Table, is intended to supply?

Lord EUSTACE CECIL: The Stock-purse Fund Allowance of £158 5*s.* 6*d.* per Company is given to the regiments of Foot Guards to defray the costs of their hospitals, their recruiting, and various miscellaneous charges.

INDIA TARIFF ACT—CORRESPONDENCE.—QUESTION.

General Sir GEORGE BALFOUR asked the Under Secretary of State for India, Whether the Replies of Lord Northbrook to the Despatch of the Secretary of State for India of 11th November 1875, relating to the India Tariff Act, have been received at the India Office; and, whether there will be any objection to lay them upon the Table?

Lord GEORGE HAMILTON: We have just received the whole of the reply of the Indian Government, and as soon as the reply of the Secretary of State, which is now under consideration, has been made, I will lay the Papers upon the Table of the House.

ARMY—IRISH MILITIA REGIMENTS.

QUESTION.

Captain NOLAN asked the Secretary of State for War, If the Irish Militia Regiments ordered this year to encampments in England will be located in standing camps; whether mess tents and furniture will be provided for the officers, and if kitchens will have been built previous to their arrival for the officers and men; and, whether any allowance will be made to the officers beyond what they ordinarily receive in quarters to cover the extra expense which encamping at a distance from their counties will entail?

Lord EUSTACE CECIL: These regiments will be in standing camps, and mess tents and furniture will be provided for them as for the Regular troops; cooking stoves will be issued for officers' and non-commissioned officers' messes; and the same facilities will be afforded to the men for cooking as for the Regular troops. Officers will be granted the usual field allowance and mess allowances as when training, with half-lodging allowance for extra furniture.

BARBADOES—ALLEGED RIOTS.

QUESTIONS.

Sir CHARLES W. DILKE asked the Under Secretary of State for the Colonies, Whether the Government have received from Barbadoes any information other than that which has appeared in the public papers in reference to riots in that Colony; and, if so, whether he can communicate the substance of the telegrams to the House?

Mr. THORNHILL also asked, What steps it is the intention of Her Majesty's Government to take with regard to the riots?

Mr. J. LOWTHER: I think, Sir, the most convenient form in which I can answer the Questions of the hon. Gentlemen will be to read, with the permission of the House, portions of some telegrams which have passed recently between the Colonial Office and the Governor of Barbadoes. The following is a copy of a telegram from Governor Hennessy to Lord Carnarvon, received on the 22nd instant:—

> "In consequence of a robbery in a provision ground the police fired on the mob, and one man is said to be shot. Similar events have occurred in August last and in previous years. I am going at once to the scene of the disturbance; have ordered the troops to the country stations to replace the police on duty."

A second telegram from Governor Hennessy to Lord Carnarvon, dated the 22nd instant, said—

> "I have visited the several scenes of the disturbances. The planters are much alarmed, but the sugar works go on as usual. The police have taken 30 prisoners. The military have been posted in three parishes, but there has been no occasion for them. In consequence of the planters' panic I have telegraphed for more troops from Jamaica, Demerara, and Trinidad."

On the same day (the 22nd instant) Lord Carnarvon telegraphed to Governor Hennessy as follows:—

> "I have received your two telegrams respecting disturbances. The West India Committee have also given me a telegram describing affairs as being most serious, and asking for military aid to put down the disturbances. This, however, you have rightly anticipated. I greatly regret the necessity for the military, but the preservation of order is the first object. I need hardly remind you to combine firmness with temperate action. But urge earnestly on all parties to keep from political agitation, for which there is no justification after my despatches, and which must be put down firmly as being very dangerous. Keep me fully informed by telegraph."

A telegram from Governor Hennessy to Lord Carnarvon, received on the 23rd instant, at 8 A.M., says—

> "As tranquillity is being restored, the officer in command of the troops has countermanded reinforcements from Trinidad."

At 6 P.M. a further telegram from Governor Hennessy to Lord Carnarvon was received. It was as follows:—

> "April 23.—Walked all through town last night. Everything quiet. As tranquility appears restored, I have, after consultation with officer in command, countermanded reinforcements from the other islands. More plunderers captured by police. Troops patrolled in rural districts, but had no necessity to act. Proclamation issued announcing Special Commission for speedy trial of offenders."

I may add that a subsequent telegram received yesterday from the Governor makes no reference to any renewal of disturbances. As, however, a private telegram—which has, I think, appeared in most of the daily newspapers—was communicated to my noble Friend the Secretary of State, he has to-day again telegraphed to the Governor, asking for immediate information as to the actual state of affairs.

THE ROYAL TITLES BILL—THE PROCLAMATION.—QUESTION.

MR. FAWCETT asked the First Lord of the Treasury, Whether he will afford any facilities for the discussion of the Motion, of which notice has already been given, disapproving of the advice to be tendered to Her Majesty by Her Ministers, in reference to the Royal Titles Bill before the Proclamation is issued which will give effect to that Bill?

THE MARQUESS OF HARTINGTON: Before the right hon. Gentleman answers that Question, perhaps the House will allow me to make a short explanation which I think it would be for the convenience of the House to have before the Question is answered. I was, unfortunately, unable to be in the House yesterday afternoon; but I have read the Answer which was then given to a Question of the hon. Member for Hackney (Mr. Fawcett) on this subject by the right hon. Gentleman, and from that Answer the right hon. Gentleman appears to be under some misapprehension which I think it will be convenient should be removed, if possible, before he answers the Question which has just been put. The right hon. Gentleman is reported to have said, in reference to this subject—

> "It is very true, under the circumstances which then existed, I had wished to facilitate the discussion of his Motion. The Motion of the hon. Gentleman was a Motion of censure. It was adopted by the Leader of the Opposition, and I therefore felt, whatever objections might be urged against the general expediency of further discussion, it was my duty to meet the Motion immediately; and I made arrangements, to the great inconvenience of the Government, to do so."

With reference to that statement I wish to say that, in putting a Question to the right hon. Gentleman as to the Business of the House for a week, I drew his attention to a Motion of very great importance, of which Notice had been given by my hon. Friend the Member for Hackney. I distinctly stated on that occasion that the hon. Member for Hackney had placed that Notice on the Paper without any consultation with me, or, as far as I was aware, with any of my Friends. Therefore, the right hon. Gentleman is under a misapprehension in stating that that Motion of censure was in any way adopted by the Leader of the Opposition. Since the Easter Recess, as far as I am aware, so far as the Opposition is concerned, the question remains exactly in the same position. I have had no communication whatever with my hon. Friend the Member for Hackney either as to the Motion which previously stood on the Paper, or the amended Motion of which he gave Notice yesterday; and, in fact, until a very few minutes ago, I have not seen him. If the right hon. Gentleman is disposed to give the hon. Member a day for proceeding with his Motion, I can only say personally, after the course we have taken with regard to this Bill, I shall have no alternative but to give him my support; but at the same time, as I have stated, my hon. Friend has acted without consultation with us, and it is altogether a different question whether there is any practical object to be gained by raising another discussion at this stage. I have naturally had no opportunity of consulting with any of my Friends during the Recess, and I have not yet had such an opportunity; but after the Government, in answer to my hon. Friend, have stated what course they intend to pursue, I shall, of course, lose no time in doing so. It will be for us to consider whether we shall take any such steps as are in our power to facilitate the bringing forward of the

Motion of my hon. Friend. Perhaps the House will allow me to add this:—The question, as I have stated, as regards the Opposition, remaining practically in the same position as it did before the Recess, it seems to remain for the Government to consider whether during the Recess any change has occurred in their position in regard to the matter. Before the Recess the right hon. Gentleman stated that he considered the Motion a Motion of censure upon the Government, and he considered it of such importance that he made certain efforts to have it brought forward for immediate discussion. I cannot, however, quite agree with what the right hon. Gentleman is reported to have said yesterday—that he had made arrangements at great inconvenience to the Government. As far as I can recollect, the proposed arrangement involved no inconvenience to the Government, and only involved the sacrifice of the opportunities certain private Members had obtained, and, as I pointed out at the time, of Members chiefly sitting on this side of the House. The fact remains that the Government did consider the Motion as a Vote of Censure, and made some effort to bring it on for immediate discussion. It has now become more distinctly a Vote of Censure than it was before; and it is for the Government to consider whether they will undertake the responsibility of advising Her Majesty to issue the Proclamation before the hon. Member has had the opportunity of asking the opinion of the House on the Motion he wishes to submit to it. I am much obliged to the House for allowing me to make this explanation. In justice to my hon. Friend the Member for Hackney, one more observation ought to be made upon the statement of the right hon. Gentleman. He said—

> "There was a day allotted for the discussion; that day, however, for causes I am unacquainted with, was not eventually taken advantage of by the hon. Gentleman."

In justice to the hon. Member it ought to be distinctly pointed out that my hon. Friend had no opportunity of taking advantage of that day. No day was ever allotted for the discussion. An arrangement was suggested, contingent upon certain arrangements with other Members being made; but my hon. Friend never had the contemplated opportunity of bringing forward his Motion.

Mr. DISRAELI: The House will, I am sure, easily understand that, because a Member of this House proposes a Vote of Censure upon the Government, it cannot be expected that the Government should, as a matter of course, supply a day for its discussion; because it is quite obvious that if that were the case the whole Session might be wasted. I was under the apprehension, when the circumstances to which the noble Lord has referred occurred, just before the adjournment, that the noble Lord had adopted that Vote of Censure. I feel, after the explanation of the noble Lord, I was in error; but it was an error, I can assure him, which was shared by others who sit near me. Of course, if the Leader of the Opposition gives Notice of a Motion of censure, we know he does it with a full sense of the responsibility of his position, and if the consequence of his carrying it is that the Government is disturbed, at least the Queen will not be left without advisers. That does not apply, of course, to those Members who are not Leaders of a political Party, prepared to incur responsibility. It was under that impression—as I now find, erroneous impression—I made that proposition to the noble Lord. With regard to the hon. Gentleman the Member for Hackney (Mr. Fawcett), his new Motion, if carried, is a Vote of Censure upon the House of Commons. He seeks to revive a question which has been discussed, and which has been decided upon by the House by a very large majority. Under these circumstances, I do not feel justified in giving him any facilities for discussing his Motion.

Mr. FAWCETT: I wish to speak a few sentences, and, if necessary, will place myself in Order by concluding with a Motion. I wish, in the first place, most distinctly to deny the assertion of the Prime Minister that the Motion of which I have given Notice, if it were carried, would be a censure on the House of Commons. The House of Commons has not technically endorsed the proposal that the Queen should take the title of Empress of India. All that we have done is this: We have passed a Bill authorizing Her Majesty to assume an addition to her titles, and many of us—I am one of them—who dislike the title of "Empress," could cordially support the Bill under certain circumstances; because we should be pleased that Her Majesty should assume an addition to her titles which would more distinctly recognize her position as ruler over her great dependency of India; and therefore I think the House will agree with me that my Motion would not censure the House of Commons in passing a Bill authorizing an addition to the titles of Her Majesty. All that it would do—and all that I intended to do—is to censure the advice which has not yet been given, because it could not be given until the Bill has finally passed this House.

MR. SPEAKER: I must point out that it is quite irregular for the hon. Member for Hackney to discuss a Motion of which he has given Notice for a future day.

MR. FAWCETT: Nothing is further from my intention than to discuss the Motion, and I should not have said anything about it had not reference been made to the subject by the Prime Minister. I bow to your decision, Sir, and shall only inform the House of what I intend to do with my Motion. I have done everything that a private Member possibly could do to bring on a discussion which I think it is important should be brought on. I thank the noble Lord for having corrected the misstatement of the Prime Minister. I never had a day. If a day had been offered I should have gladly availed myself of it; but I never had such an opportunity. I have done everything that a private Member could possibly do; but it seems to me that if the matter is to rest with a private Member this question will never be discussed. I think it is of great importance that it should be discussed, and I now leave it in the hands of those who possess an influence in this House which I cannot claim—an authority which will enable them, if they think it desirable for the interests of the country, to obtain a discussion of this question which I cannot succeed in obtaining. I therefore give Notice that I will keep the Motion on the Paper of the House until the Proclamation is issued, and leave the matter in the hands of more influential persons for future consideration.

PARLIAMENT—PRIVILEGE—IRREGULAR PETITIONS.—OBSERVATIONS.

MR. NEWDEGATE said, he had given Notice of the following Question:—To ask the hon. Member for Dundalk, Whether he intends to bring on the Motion for a Select Committee to inquire as to the conduct of the hon. Member for North Warwickshire with respect to the Chatham Petition, of which he has given Notice for to-day; and, if so, whether he expects that the Motion will come on before half-past Twelve to-night. A sort of answer had been received to that Question. The following telegram had been placed in his hands by the Clerk at the Table on reaching the House:—"Missed the train for mail-boat this morning. Please inform Mr. Newdegate, and place my Notice for the first open Tuesday—say this day fortnight, May 9." That was from the hon. and learned Member for Dundalk (Mr. Callan). As that was a matter personal to himself, inasmuch as his conduct was impugned by the Notice which stood in the name of the hon. and learned Member—he begged most respectfully to call the attention of the House to the fact that, by the Speaker's decision on the 11th instant, he was by this Motion remaining on the Paper—and as long as it was there—precluded from making the explanation which he desired to offer to the House in this matter. He hoped the House would excuse him for making those observations.

CAPTAIN NOLAN said, the hon. and learned Member had done everything in his power to warn the hon. Member for North Warwickshire, and he thought it would be in the recollection of the House that every possible effort was made by the hon. and learned Member to bring on the question before the Recess. No one would be more sorry than the hon. and learned Member for the delay that must occur.

PERU—CREW OF THE STEAMSHIP "TALISMAN."—QUESTION.

MR. GORST asked the Under Secretary of State for Foreign Affairs, What response has been made by the Peruvian Government to the appeal made to them by Her Majesty's Government on behalf of the Master and Mate of the "Talisman?"

MR. BOURKE: We have telegraphic intelligence to the effect that the trial is concluded, and that the master and mate have been sentenced to banishment from Peru. We telegraphed on the 22nd instant to ascertain whether they had been released, but the answer is not yet received.

DOG POISONING.—QUESTION.

SIR TREVOR LAWRENCE asked the Secretary of State for the Home Department, Whether his attention has been called to the systematic poisoning of valuable dogs, which has lately taken place in London and the neighbourhood, especially at Richmond; and, whether any special measures have been taken for the detection and punishment of the perpetrators of these outrages?

MR. ASSHETON CROSS, in reply, said, that since the hon. Member had given Notice of his Question he had communicated with the police, and had given directions that every effort should be made to find out the perpetrators of these outrages. Rewards had been offered by the owners of some of the dogs, and special constables had been set aside to discover the offenders. Up to the present time, he was sorry to say that these measures had been without effect.

NAVY—NAVIGATION OF HER MAJESTY'S SHIPS.—RESOLUTION.

MR. HANBURY-TRACY, in rising to call attention to the alteration which is gradually being effected in the system under which Her Majesty's ships are navigated; and to move—

> "That, in the opinion of this House, it having been determined gradually to abolish the system of employing a separate and distinct branch of officer for navigating duties, it is desirable that greater encouragement and a more extended training than at present adopted should be given to the officers of the Fleet to obtain practical experience in surveying, pilotage, and navigation; and that in carrying out the intended change due regard should be paid to the position and prospects of existing class of navigating officers,"

said: The subject cannot fail to be somewhat dry and uninteresting, as it is purely a professional matter; but, at the same time, when it is remembered how large an amount we spend annually on our iron-clad Navy, I trust I may claim the kind indulgence of the House whilst I endeavour to state the case as briefly as possible. When I last brought this subject before the House the question then in dispute was whether the old system of retaining a separate class for navigating duties should be continued, or whether it should be relegated to the main executive branch and a general knowledge diffused throughout all branches of the Service. Since then I am happy to say this point has practically been conceded, and I do not propose to re-open it. To render the existing state of things intelligible to the House I ought perhaps to explain that for a number of years we have maintained a separate branch, and I ought to use the expression a separate class of officers for navigating duties, under the general idea that by this means we obtained men with far greater experience as pilots and navigators than we otherwise could. This system originated many years ago, in the time of Henry VIII., when it was necessary to have sea nurses for our captains, and was resuscitated at the beginning of the old French war when it was found necessary to expand our Fleet very largely; we then brought in a large number of old trained mates and merchant captains from the Merchant Navy, and as they had not been brought up trained in gunnery and the discipline of a man-of-war we utilized their services by entrusting them with the navigation of the ships. These officers were first-rate seamen, and in most cases good pilots, and were well satisfied with their position which was subordinate to the executive officers of the ship. As these men died out the Navy had got so accustomed to lean on the old masters that instead of rearing up the pick of our young lieutenants to take their place we unfortunately allowed the distinct and subordinate class to exist, and we entered year after year a mixed set of lads, many of whom were of a very inferior social status, to become our special navigators, without any selection or special qualification. Of late years a much better class of boys were entered who, as they grew up, felt their anomalous and subordinate position must acutely. The general result was, as might be expected, pilotage and navigation got to be regarded as a secondary consideration, the executive class looked down upon it and took little or no heed of it; whilst, at the same time, the special navigating class grew more and more discontented. At last matters arrived at such a point that the question could no longer be disregarded. In 1865 the Duke of Somerset after carefully considering the question with the assistance of the right hon. Gentleman the Member for Pontefract (Mr. Childers) determined that the only real solution of the difficulty was gradually to let the old class die out and to rear up officers to take their place from the main line. Thus, to obtain selection and special qualification whilst, at the same time, diffusing the knowledge through all ranks of the Service. This policy was announced by Lord Clarence Paget in June, 1865. Unfortunately before this policy could be fully carried out the Duke of Somerset went out of office and was succeeded by the right hon. Gentleman the Member for Droitwich (Sir John Pakington) now Lord Hampton, who at once proceeded to reverse this policy and to enter again a large number of navigating cadets. I am told, on high authority, that this reversal of policy was not so much due to any very strong opinion on the merits of the question as it was to the fact that the right hon. Gentleman desired to bestow his patronage on a considerable number of lads who were over the age of naval cadets, and by this means they were got into the Service. Whether this was so or not must remain a secret in the archives of the Admiralty; but the fact is undoubtedly true that the policy was reversed, and an attempt was made to bolster up the old navigating class. The right hon. Gentleman the Member for Tyrone (the late Mr. Corry) who succeeded Lord Hampton continued in the same course. In 1870 the right hon. Gentleman the Member for Pontefract, on becoming First Lord, determined that amongst the many reforms he would carry out, the abolition of a separate class for navigating duties should be one of them. He at once placed the entry of navigating cadets on the same footing as the other cadets. The enormous amount of work which was then thrust upon him, and his subsequent illness, prevented further steps being then taken. Although my Motion was opposed in 1872 by the right hon. Gentleman the Member for the City of London (Mr. Goschen), I am happy to say that within one year the long-delayed step was taken, and a Circular was issued in August, 1873, inviting five lieutenants and 20 sub-lieutenants to volunteer for navigating duties; whilst at the same time it was made clear that the old class were gradually to be allowed to die out. I confess that when the present Government came into office I was much afraid that they might again take a retrograde step. I am thankful, however, to say that the right hon. Gentleman the present First Lord has been able to withstand all inducements, and has not only adhered to the policy of his Predecessor, but has taken another step in a similar direction. If there were any doubts as to his intention in this respect, they were removed by the announcement he made a few weeks ago, that he proposed at once to amalgamate the navigating midshipmen with the executive line. Starting, then, from this point, let us see whether the policy is being carried out as vigorously as it ought to be, and in a manner likely to render the new system a success. The question appears to divide itself into three subjects—First, Whether the alteration which has been made will speedily diffuse a knowledge of practical navigation and pilotage amongst our captains and commanders, and enable them to handle their ship with greater confidence? Secondly, Whether the officers being trained up to navigating duties in the executive line, to assist the captain, have facilities given them to enable them to become thoroughly experienced and efficient in their duties? Thirdly, Whether proper steps have been taken to meet the grievances complained of by the existing navigating class, and to effect a just settlement of the whole question? And now let us examine the first part of the subject. The main advantage to be gained from the abolition of a separate branch undoubtedly is the diffusion of a greater amount of practical navigation and pilotage amongst our executive officers; and it is of the greatest importance that our captains and commanders should obtain this knowledge at the earliest possible moment. It is with this view I and many others have always urged forward this question, and we are therefore most anxious, now that the general system is agreed to, that no time should be lost in obtaining this result. The grievances of the navigating class, whilst most important, must nevertheless stand second to the primary consideration. Captain Washington, a late hydrographer of the Admiralty, stated these views very clearly in an able memorandum in 1862. He then said—

> "But apart from rendering justice to masters, it appears to me that there is a higher motive for doing away with the class—namely, the general benefit of the service, by breaking up the monopoly of a large share of professional knowledge, reserved apparently for one branch, and that not the principal executive branch of the service. The master, by the Admiralty Instructions, is entrusted with the care of the

rigging, and expenditure of stores, the stowage of the holds, the charge of the anchors and cables, the custody of chronometers and compasses, the navigation of the ship on the ocean, the pilotage in narrow waters, and the steering and conning of the ship in time of battle. My great desire would be to see the knowledge, experience, and skill, which may be obtained in the performance of such duties, absorbed among the lieutenants, commanders, and captains, all of whom would become more efficient in their respective positions by the addition to their professional qualifications, which would be the sure and certain result of abolishing the separate class."

I am well aware that there are many officers in command of ships who are good navigators and pilots, and I know several captains, who, although they may have neglected this duty during the greater part of their service, have found the responsibility so serious when they became captains, that they have at once set to work to render themselves thoroughly competent. It is, however, only too true that as a general rule, owing to the severance of navigating duties from the main body of the profession, lieutenants after having passed at the college, throw their books aside and think no more of astronomy, or the theory of navigation—in which, in many cases, they have passed brilliant examinations — knowing very well that owing to there being a distinct class for these duties their knowledge will never be required. The result is, that lieutenants become commanders and commanders become captains without, in nine cases out of ten, ever having taken a moderate sized ship from one port to another by themselves. It is true that formal observation and a few "days' work" are occasionally required in some ships; but there is no reality in it; there is no responsibility about it. I remember, in 1872, the right hon. and gallant Gentleman the Member for Stamford (Sir John Hay), in replying to me, stating that it was new to him that captains did not know how to navigate and pilot their vessels, and he seemed to imply that I had very much exaggerated the case. Now, Sir, I can well understand the right hon. and gallant Gentleman's feelings in the matter. He happened himself to be one of those captains who took an interest in this part of that duty, and it is well known that in one or two ships he had no navigating officer on board, and the ships were navigated with great success. He was well known in the Service to be a very good officer, and I have no doubt in most matters he was thoroughly competent. To show, Sir, however, that I am borne out in the opinion I have expressed by others, I will, with the permission of the House, read a letter by a Staff commander of considerable standing, one out of many sent to me—

"Speaking as a navigating officer, and feeling acutely the injustice under which we suffer, I am nevertheless convinced that this is nothing compared to the wrong done to the Service and to the country by the continuance of the present system under which the practical knowledge of navigation is confined to a mere handful, when the whole executive class is only waiting for proper inducements to qualify for, and undertake, this first and most important of a naval officer's duty. . . . . It is often said, both in and out of Parliament, that captains can and do navigate their own ships. I have had 19 years' experience in navigating in charge of all classes of ships, from a gunboat to the largest iron-clads, and have served under nearly a score of captains, and this is my experience of their knowledge and practice of navigation. Of the whole number only one took astronomical observations with any regularity, another did so occasionally; and of the remainder I never saw one take a sextant in hand, whilst as to deviation and variation of the compass, &c., &c., such things were merely details of the navigating officer's duty with which they did not concern themselves, and of which they mostly knew nothing; yet the majority were really good officers, but had simply paid no attention to a duty which the Service had brought them up to think would be done for them. . . . . The position of navigating officers is so depressing that it is no wonder executive officers are not very anxious to adopt their line, and the neglect of that duty very naturally leads to the neglect of the handling of the ship under other circumstances; so that I have seen the Channel Fleet of nine iron-clads practically in the hands of the Staff commanders when performing steam evolutions, the flag-ship and one other being the only ships where the captains took charge of their own ships. Lately some improvement has taken place in this respect; but still the chief knowledge and practice of handling the ship lies with the navigating officer, and what I dread is this—that in case of an engagement between two fleets a high-spirited captain would possibly feel himself bound, when about to ram an enemy, to take the direction of the helm out of the navigating officer's hands; when it is not too much to say that in three cases out of four proficiency would be giving way to inefficiency, and failure would be the result. The only way out of the difficulty is to abolish the present class of navigating officers, and diffuse their knowledge throughout the executives; but do us justice in the abolition."

I think no one can deny that this letter gives a very decided opinion. The name of the writer of this letter I shall be very happy to give to any hon. Member, and the officer has given me permission to give his name to the Admiralty, if they require it or wish to test the accuracy of his statement. He is a distinguished and able officer, and speaks with considerable authority. Sir, in the present day, with the great alterations in naval warfare, I maintain it is incumbent on our captains that they shall no longer be dependent on a navigating officer. The old days when the master sailed and conned the ship into action are past. We have arrived at a time when rams and torpedoes will be the deadly weapons of the future, and when the captain who handles his ram the most skilfully must win the day. It is difficult to picture to oneself a more unpleasant position for a captain to be placed in than to have command of one of our great iron-clad rams, and to have to leave the handling of his ship to another officer. Captain Noel in his prize essay, states the necessity of careful handling of a ram so well that I feel I cannot do better than quote his words—

> "What iron nerves, what cool-headed determination, what almost instinctive guidance will be required to steer one of our largest iron-clads, moving at the rate of eight or 10 knots, against one of another fleet approaching at the same rate, with the firm resolution of ramming her should opportunity offer! There will be no prompting, no time to ask advice, no opportunity for further calculation than the eye and senses can command at the moment; the decision must be instantaneous, and immediately carried into effect, the only encouragement being in the knowledge that the enemy's ship is commanded and guided by a man undergoing the same fearful test, and that the most determined man of the two, if sufficiently skilful, must secure his object."

I know the old worn-out argument that the captain has so much to do in a man-of-war of the present date; that she is such a complex machine that it is impossible for him to attend to the navigation of the ship. My answer is simply this—that I should be the last to desire that he should have the whole of the detail work of navigation and piloting thrown on his shoulders, and that he must have as his assistant the most qualified man it is possible to obtain; but I maintain it is one of the first qualifications of a seaman and a captain that he should have thorough acquaintance with the handling of his vessel, and a practical acquaintance with navigation and piloting, so as when necessary to take charge himself and to have confidence in himself as he has in every other of his duties. In order to give this practical knowledge to our captains, I am convinced that you must take additional steps to those now in force. Do not let us forget that until our new system has had time to develop itself we shall remain the only Navy in the world in which pilotage, navigation, and the handling of his vessel are not considered the most essential duties of every captain. In Germany they have copied every other institution, but they have taken great care to make all their captains serve an apprenticeship in navigating their ship. By the system inaugurated by the right hon. Gentleman the Member for the City of London (Mr. Goschen) you have obtained four lieutenants and 23 sub-lieutenants who have qualified; and assuming that the Admiralty select annually some 15 or 20 for these navigating duties, you will in the course of 15 years have several of your captains officers who have been navigating officers, and you will gradually arrive at the proportion of one-fifth of your captains being experienced navigators. But, Sir, I apprehend we cannot wait 15 years, and the problem seems to be what steps can you take to infuse an immediate acquaintance with these duties. With the certainty that rams will be very largely used in any great naval war, the handling of our ships will form a most important part of the chances of success. I fear that unless some great alteration is made, some fearful catastrophe will one day occur, and with iron-clads costing over £500,000 the Admiralty incur a fearful responsibility if they allow the present want of practice to continue. It is 14 years since Captain Washington warned the Admiralty of the danger they would be placed in, and yet no change had been made. His remarkable words, read now after this lapse of time, are curiously prophetic—

> "It is not impossible that the introduction of armour-plated ships and steam rams may have an important bearing on this question. If a steam ram were about to give her stem to an opponent, is it conceivable that the captain of the ram should delegate his authority to a master at that critical moment? Would he not rather, at all hazards, be bound to take the responsibility on himself? If this be so, should he not have a training for handling and steering his ship promptly under any emergency? Would he not feel far more confidence in himself had he passed through the grades of navigating officer, and had for some years had charge of the steering and conning of the ship? Very recent events point to this mode of warfare as likely to play a prominent part in any future naval action; and would it be wise, then, to wait until the time of need before training our younger executive officers to acquire that self-reliance

and confidence which can only be gained by continual practice?"

The remedy I would venture to suggest for this state of things appears to me very simple. You have torpedo schools, you have gunnery schools; why not at once institute a school for practical navigation and pilotage and allow your officers to go through a course. It is no abstruse science, but one easily learnt—only requiring practice. There would be no difficulty whatever in getting your captains and commanders to go through it voluntarily. We have 39 captains who have not yet been appointed to a ship since their promotion, and unfortunately it is still four and a-half years before a man obtains a command. It is the greatest blot in the profession that this should be so. Officers in the prime of life, with a full knowledge of their profession, are condemned to hopeless inactivity for four long years on a miserable pittance called half-pay. In these days, when even one year makes a vast difference in our knowledge of naval architecture and science of naval warfare, it is suicidal to keep the officers—so much depends upon rusting—in some inland village. Surely every endeavour and every inducement ought to be held out to them, not only to keep up their knowledge, but to increase their attainments. If you cannot give them ships, attach them to dockyards, to committees, give them the opportunity of studying at college and in the various schools. If you were to offer full pay and harbour-service time to officers passing a certain standard, for, say, six months' course, you would have nearly all the captains coming forward; and if, in addition to this, you were to make it generally known that a good examination would be a stepping stone to a command, all difficulty would be removed, and you would soon have captains possessing thorough confidence in themselves as practical navigators. In creating a school such as I have suggested, it would be necessary to have two or three steamers attached for practical pilotage in the Channel. To carry out the same object, in other grades, I would also suggest that no lieutenant should be promoted to commander until he had passed through this practical course. As regards the second part of the subject, whether the young lieutenants and sub-lieutenants who are being trained to navigating duties have facilities given them to enable them to become thoroughly experienced and efficient, I have not much to say. As far as I can judge from inquiries, those who have come forward and been selected are likely to prove valuable officers. The same suggestion which I have made as regards captains, I would also apply to these officers, and that they should obtain their knowledge of pilotage from actual experience in the Channel, and not, as at present, obtain their practical knowledge after they have passed. It is another proof how little is thought of pilotage and navigation, that although a strong recommendation was made, as long ago as 1862, by the Committee which sat on the subject, that steamers should be set apart to teach officers training for pilotage duties the practical part of their duties, no attempt whatever has been made to carry it out. The Report states—

> "A thorough knowledge of the pilotage of the Channel and of the coasts of the British Isles is at all times desirable, and in the event of a war might be of vital importance to the country. We therefore recommend that at least one vessel should be appropriated for this service, and that before Staff lieutenants are confirmed in that rank they should serve, not less than three months, in that or some other vessel in the Channel and around the coasts of the United Kingdom."

It can hardly be credited that navigating officers pass their examination in pilotage at the Admiralty without any such assistance, and take charge of navigating and pilot duties without having had any experience of the different harbours. There are many plans, in addition to this, which might be thought of. We have a large number of revenue cruisers round our coasts, which might all be commanded by lieutenants, and four or five sub-lieutenants attached to each, so as to acquire an intimate acquaintance with our various harbours. Then, Sir, why should not our young officers attach themselves to pilot boats to acquire experience. If some such steps are taken, I have every confidence that the lieutenants and sub-lieutenants now coming forward will prove experienced pilots and able navigators. The Admiralty have the pick of the whole profession, and ought therefore to have no difficulty in rearing up well-qualified officers. There is one school for our officers in these duties and also in seamanship which I fear has been much neglected, I mean the surveying school. It is only necessary to go back a very few years to see how many officers of the main executive branch were employed on surveying service in comparison to the number now. I believe every naval officer will agree with me that the surveying service ought to be well kept up; not only for the great national advantages we derive from careful surveys, enabling our merchant fleets to be safely guided in difficult channels, but from the splendid school which affords for training our surveyors, navigators, and pilots. In time of war when buoys are taken up, and charts of little use, the men who have been trained in distant surveys are invaluable. It is these men who, in all our wars, have conducted our fleet in safety in difficult channels, and seem to have acquired a natural power of smelling out rocks and shoals. I regret to find that the number of our *bonâ fide* surveyors have of late years much dwindled down. There were—captains and commanders—in 1849, 28; in 1855, 24; in 1865, 18; in 1876, only 4. It is perfectly true that several lieutenants have lately been brought into this Service, and will eventually become *bonâ fide* surveyors. I am also aware that the surveying requirements in one respect are not so great as they used to be, owing to several foreign nations having come forward to take their share in the work; but, as a school for the Navy, the requirements are even greater than ever. In 1849 we had 12 surveying ships in commission—in 1875 we had only 3, showing a great reduction. In addition to these modes of training our officers, the Admiralty ought to enforce the suggestion made, I think, by Admiral Ryder, that as the gunnery lieutenants instruct officers in gunnery so the navigating officers should instruct them in practical surveying, navigation, pilotage, and meteorology, and thus enable them to make useful surveys of reefs, running surveys of coast lines and harbours; that in every ship, unless good reason could be shown to the contrary, a survey for exercise and experience should always be on hand in every ship. By these means you would very soon diffuse a general knowledge, and you would raise these important duties to the primary position they ought to hold in the mind of every seaman. I now come to the third and last portion of my subject—namely, the grievances of navigating officers. Although I treat this last, it is a most important matter and cannot be neglected. Your navigating officers have for years been in a most anomalous and subordinate position, galling to every man of any spirit, and in many cases almost unbearable. They have, notwithstanding this, done their work very well, and I apprehend that now you are altering the whole system you must meet their just complaints, and deal with the matter in a broad and comprehensive spirit. I know that it is a difficult question, and as the Duke of Somerset stated before the Committee of 1862, great care must be taken that in trying to do justice to the navigating class you do not do injustice to the main executive line. But it is much easier to deal with this class of officers now than it ever was, the numbers having been very greatly reduced since 1865. In that year there were 696 navigating officers of all ranks; in 1875 there are only 367, and the number will soon be further reduced, as the First Lord of the Admiralty has signified his intention of amalgamating the navigating midshipmen with the main line. Year after year promises of special promotion have been made, but with one or two rare exceptions they have never been carried out. Only so late as 1870 my right hon. Friend (Mr. Childers) made a regulation that the Admiralty might promote three in each year, but instead of up to this time 18 having been promoted, only one has received the benefit of the regulation. A few years ago you gave them relative rank according to their seniority with their brother officers in the main line, but prevented it taking effect on board ship, so that a staff commander with 20 years' service is junior to the lieutenant of a day's standing. In cases where Staff commanders have command of store ships it is most irritating to find themselves placed under a junior lieutenant in command of a gunboat. On the other hand officers in the main line say that is perfectly true, but they have not been brought up to a knowledge of discipline and gunnery, and why should they interfere with us? Giving every allowance to this argument, I am bound to say that the time seems to have come when, with a class gradually dying out, and with a new race of officers training up for navigating duties, you must take a somewhat determined step, and put an end once and for all to the constant irritation and discontent which one so constantly hears of. I would, with all due deference, solve the questions of retirement, pay, and widows' pensions by at once placing them on a similar footing as the main line. With respect to the question of rank, I would withdraw the stipulation which prevents their holding relative rank on board ship; but I would make this proviso—that in no case should the navigating officer (if of the separate class) take seniority over the commanding officer, giving him, if necessary, brevet rank. If, therefore, in a large ship, the commander and captain were both away the first lieutenant would be acting commander, and senior to the staff commander. By this means all difficulty as to the position of navigating officers would be removed, and, I believe, the main executive line would have no objection to the relative rank holding good when it was once made clear that the navigating officers would not interfere with the discipline of the ship. It is quite evident that some such plan must be adopted; for if the First Lord of the Admiralty carries out his proposal of amalgamating the navigating midshipmen, you will, under present arrangements, have this peculiar result—that the navigating midshipman amalgamated with the main line may, in three or four years, become a lieutenant, and then be senior to the staff commander who had served all his life in the navigating class, and has put up during many years with his subordinate position. As the lieutenants and sub-lieutenants now being trained take the duties of navigating officers, all question of rank will subside, as these officers will be kept well versed in gunnery knowledge and the discipline of a man-of-war. The old class must now gradually die out, and I do sincerely trust the First Lord will take this to be a fitting opportunity for doing a long-deferred measure of justice to a body of men well deserving the thanks of their country. I will not detain the House any longer, and I thank them very much for the kind manner in which they have heard me. I will only say this, that I am quite at a loss to understand the Amendment of my hon. and gallant Friend, as he appears to concur with me as to the necessity of increased means of instruction, and ought therefore to agree with my Motion. If, however, he conceals a wicked desire to bring back the old system of a separate class for navigating duties he may rest assured that it is already a thing of the past, and that no First Lord dare incur the responsibility of what could not fail to prove a most disastrous policy. The hon. Gentleman concluded by moving his Resolution.

Mr. T. BRASSEY said, on a former occasion he had seconded a Motion by his hon. Friend the Member for the Montgomery Borough for the abolition of a separate class of officers for the navigating duties in Her Majesty's ships. Although that Motion was opposed at the time by the First Lord of the Admiralty, in the following year it was announced that the Government had re-considered the subject. He was convinced that the Admiralty were wise in their final decision. It could not be consistent that an officer should be appointed to a command, unless he possessed a competent knowledge of navigation and pilotage. The perpetuation of the old arrangement for the navigating duties of the Fleet must tend inevitably to make executive officers indifferent to their nautical work; and if, as lieutenants, they were in the habit of neglecting navigation, when they came to occupy more responsible positions, in command of ships, they would run the risk of finding themselves, at a critical moment, mainly dependent on the judgment of a subordinate. When contending against a gale, on a lee shore, or in battle, when all might depend on giving or avoiding the blow of a ram, how could an officer, imperfectly acquainted with the art of steering or navigation, be regarded as competent to command? It could not be said that the duties of a navigating officer were too difficult for an intelligent officer, belonging to the general line of the Service. The practice of navigation was so simple, that nothing more was required than accuracy in elementary arithmetic. Pilotage required more experience; but it was experience of a kind, which every naval officer ought to possess. Nerve and quickness of eye were necessary to carry a vessel through a narrow and tortuous channel, between rocks and shoals—but these were just the qualities which would enable an officer to select a happy opportunity for giving the stem to an enemy. He had already expressed his satisfaction at the decision of the Admiralty to abolish the navigating class. As, however, there were to be no more navigating officers, it was necessary that executive officers should be encouraged to qualify themselves for navigating duties. For this purpose, adequate inducements should be held out, and officers should be made to believe that proficiency in navigation would be as highly appreciated at the Admiralty, and would be as sure a road to promotion, as knowledge of gunnery. Once let this conviction be established generally throughout the profession, and there would be no lack of captains, commanders, and lieutenants, ready to avail themselves of any opportunity, which might be accorded to them, of acquiring the requisite amount of practical knowledge. For this purpose, a special course of instruction in the pilotage of our own coasts might be established, on the same footing as the torpedo school, which had already proved so valuable to the Navy. In addition to the school of pilotage, surveys might be prosecuted with increased energy. In an able lecture, Captain Hull, the keeper of the charts at the Admiralty, recently called attention to the great extent of coast, which was as yet unsurveyed. Even seas, which were constantly resorted to by traders, were imperfectly known. He might mention particularly the River Plate, the West Coast of South America, the Pacific, Java, and Red Seas. Surveys offered an admirable school for naval officers. Some of the most distinguished men in the Navy had spent several years in surveying ships. His practical knowledge of pilotage was of signal service to Lord Nelson. It had been stated by Sir R. Collinson that the battle of the Nile would not have been fought at the hour it was, if Nelson had not himself been a pilot. At Copenhagen, soundings were taken under the personal superintendence of Lord Nelson, and by that means his ships were enabled to take up positions within close range of the Danish batteries. Surveying was now taught at Greenwich; but not much could be done at a college in a subject so essentially practical. The teaching of the College would be thrown away, unless followed up afloat. A surveying ship could be kept in commission, according to Captain Hull, for £14,000 a-year; and a larger sum was often wasted in doubtful experiments in shipbuilding. He begged to second the Motion of his hon. Friend.

Motion made, and Question proposed,

> "That, in the opinion of this House, it having been determined gradually to abolish the system of employing a separate and distinct branch of officer for navigating duties, it is desirable that greater encouragement and a more extended training than at present adopted should be given to the officers of the Fleet to obtain practical experience in surveying, pilotage, and navigation; and that in carrying out the intended change due regard should be paid to the position and prospects of existing class of navigating officers."—(*Mr. Hanbury-Tracy.*)

Captain PRICE said, the Motion of his hon. Friend appeared to contain, by implication, a doctrine which was calculated to be detrimental to the interests of the service and fraught with much danger to the future of Her Majesty's ships. Consequently, he had placed on the Paper the following Amendment:—

> "That, considering the greatly increased value of Her Majesty's ships of late years, and the importance of providing for their safe navigation, this House is of opinion that the training and instruction, as well as the position of navigating officers, demands serious attention, but that the abolition of a separate and distinct class of officers to perform these duties is a step which can only be approached with extreme caution and under a sense of the gravest responsibility."

He agreed with his hon. Friend as to the disadvantages under which the navigating officers at present laboured and the necessity of establishing a better system of training for them. He was quite ready to admit them, and to urge their immediate removal. His hon. Friend had also called attention to the necessity of supplying to these officers a more perfect system of training and education. If, however, hon. Members assented to the Motion, they would be pledging themselves to effect the abolition of the system of employing a separate and distinct branch of officer for navigating duties. He hesitated to think that such a step had been finally decided upon by the Admiralty, for it would, in his judgment, be highly detrimental to the interests of the Service. He understood that the step which the Admiralty were now taking with regard to navigating officers was merely experimental and tentative. The question of the advisability of the proposed step had been urged on them before, and more than once that House had decided not to abolish navigating officers as a distinct class, and this decision was in accordance with the recommendation of an Admiralty Committee in 1866. That Committee was composed of an Admiral, and four experienced officers, and examined seven Admirals, ten captains, ten masters, and three lieutenants, besides other witnesses. With reference to the proposal to take the duty of navigating out of the hands of a special class and entrusting it to officers of the executive line, they said that no doubt lieutenants might be trained to be equally expert navigators and pilots as masters, if like them they were kept constantly employed, but not otherwise; and they said that the change would be experimental, and if unsuccessful would materially injure Her Majesty's service, and they refused to recommend it, and that masters should be retained in their present capacity as navigators and pilots. In the debates which took place in 1872 most of those who were competent to give an opinion on the subject spoke very strongly against the proposed change. Mr. Corry, a former First Lord, was entirely in favour of keeping the navigating separate from the executive class of officers; and Admiral Erskine, a most experienced officer, said that—

> "Navigation was one of those duties that did not require any great scientific knowledge, but that precision and punctuality could only be acquired by special attention to the matters immediately connected with it."

Navigating officers had important functions to discharge, for they had not only to bear the responsibility of taking a ship from one part of the open sea to another, but also to undertake the duty of piloting her in every part of the world; and perfection in the performance of these onerous duties, especially in those of pilotage, could be gained only by many years' experience. It was, therefore, desirable that a special class of officers should undertake duties of such a character. On reference, however, to the Circular issued by the Admiralty it did not appear to be thought necessary that the early training of the lieutenants and sub-lieutenants who might qualify for these duties should be devoted to any special instruction in navigation and pilotage. The only alternative seemed to be that in future the navigation of a ship was to be divided between lieutenants and the captain, which supposed that the latter had not enough to do. That supposition was an erroneous one. The captain of one of Her Majesty's ships was in a way responsible for everything that occurred on board. If she was badly navigated he was held responsible; if the boilers burst, or if a man broke his leg and it was afterwards improperly set, the captain was held responsible; but as to the navigation of a ship, suppose a captain wanted to get to a certain place at a certain time, but that the navigating officer showed him that owing to currents or the necessity of taking soundings it was not expedient to go at a particular rate of speed, if the captain persevered and carried out his original intention, he would, of course, be responsible for any accident which might in consequence occur; while if, on the other hand, he gave way to the advice of the navigating officer, the chief part of the responsibility for an accident would rest upon the latter. A few years ago, owing to an error in the navigation one of our most valuable ships was stranded on the Pearl Rock, and a court martial was held, and punishment dealt out to the officers responsible for her safety; but, as was natural, the chief blame for the disaster fell on those to whom the actual duties of her navigation were entrusted. Under the arrangement now proposed, however, the captain would not only have the chief responsibility in other matters, but also the work of navigating his ship cast upon him. But, suppose the *Agincourt* had been going out to meet an enemy, and it had been found expedient to pass close to the Pearl Rock, could it, he would ask, be reasonably supposed that the captain could pay proper attention to the navigation of the ship while he would have so many other duties, such as preparing her for action, and attending to numerous signals, to perform? As to following the example of other nations, he would only say that in matters concerning the discipline of our fleets we had no need of such example. At the time of the Russian War our ships were notoriously better navigated than those of the French, although their officers were highly educated, showing that the efficient performance of the duty depended not so much on education as lifelong experience. He felt satisfied, therefore, that if the proposal before the House was adopted and that the class of navigating officers was abolished, there was not a captain in the Service who would not feel that in the matter of navigation he had lost his right hand man. The captain had hitherto consulted his navigating officer, not only with regard to such matters, but also with reference to pilotage, and the laws of storms, wind, weather, tides, currents, and so on. He consulted that officer because he had made these subjects his life-long study. Supposing the distinct class of navigating officers were abolished, and that a certain number of lieutenants volunteered for the duty, what would be the result with regard to promotion? In course of time the question would arise, to whom should be given the command of our ships? If our ships were looked upon as fighting machines—the *raison d'être* of a man-of-war—the command ought to be given to men of practical experience in the arts of disciplining men, of organization in naval administration, International Law, internal economy, gunnery, and in handing men on shore, besides other minor duties. If that were so, how could the pledge be fulfilled to the navigating officers in future that nothing should interfere with their promotion in the higher ranks? The navigating officers themselves—at least a great majority of them—did not ask for their abolition as a separate class. With regard to pay, he could only hope that the present wretched remuneration would be increased, and a manifest grievance redressed. In conclusion, he might say that he had called the attention of the House to this subject because he believed, if they were abolished as a distinct class, there would arise in future a storm of difficulties and great disappointment on the part of these officers, which would tend to diminish the efficiency in the navigation of Her Majesty's ships. He therefore moved the Amendment of which he had given Notice.

Sir JOHN SCOURFIELD, in seconding the Amendment, said, this was a question on which difference of opinion existed; but he thought that the preponderance of opinion of experienced officers was decidedly in favour of retaining the class of navigating officers. He was told that French officers had frequently expressed their envy of the office of master in the British Navy. The question involved the difference between the concentration and diffusion of knowledge, and the question was whether one person, knowing thoroughly from long experience and a sense of the strong responsibility of the matter with which he was charged, was not of more value than 20 people knowing only a portion of the subject. A short time ago he asked an experienced naval officer whether he did not think a master was likely to know more of the subject than a person only occasionally called upon to perform the duties, and the reply was, whether he did or did not, the sailors thought he did, and that was an important consideration. This was not a matter of theoretical education, but the knowledge could only be acquired by intense observation, and under a strong sense of responsibility. Whatever they might think of the warlike success of the Baltic fleet, no one could doubt that, as a matter of navigation, it was most creditable to their Navy. No vessel sustained any permanent serious disaster, and everybody knew that they had the assistance of the most competent navigators. He was disposed to give every facility for educating their officers, but do not let them be educated at the risk of the lives of other people. He considered the whole question deserved the serious and careful attention of the House; and, above all, they ought to proceed in this matter with extreme care.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "considering the greatly increased value of Her Majesty's ships of late years, and the importance of providing for their safe navigation, this House is of opinion that the training and instruction, as well as the position of navigating officers, demands serious attention, but that the abolition of a separate and distinct class of officers to perform these duties is a step which can only be approached with extreme caution and under a sense of the gravest responsibility,"—(*Captain Price,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. GREGORY said, he considered the position of the navigating lieutenants an anomalous one. As to the question of pay, although that was not a matter of such consideration as the question of rank, they seemed to be put in a different position compared with officers of similar rank although occupying a different position. As he was informed, there was a difference of something like £40 or £50 a-year. The unfortunate accident in the Solent, with the severe censure which had been visited on the navigating officer, while the officers engaged in a different capacity escaped, showed the responsibility incurred by the navigating officers and the necessity of recognizing their position and the duties they had to perform.

MR. BENTINCK said, the hon. Member for the Montgomery boroughs (Mr. Hanbury Tracy) had alluded to the inconvenience which arose from constant changes of practice at the Board of Admiralty; but he must remind the hon. Gentleman that he was out of court in complaining of the proceedings of that Board. The House had decided that the Board of Admiralty ought to be a strictly political Board, and had gone further, and recently decided by a large majority that the first essential for a Minister of Marine in this country was that he should by his antecedents have no knowledge of the business which he had to conduct. It was the House of Commons, therefore, and not the Board of Admiralty, that ought to be blamed. The hon. and gallant Member for Devonport (Captain Price) had objected *ab initio* to this change in our system, by the abolition of the rank of master and of the transference of the duties of master to other officers of the ship. He (Mr. Bentinck) entirely concurred in the views expressed by his hon. and gallant Friend. It was all very well to hold that every officer of a certain standing, and more especially the captain, ought to be qualified to navigate a ship. It required long training to enable a man to undertake the duty of pilot, and yet that was a matter which the officer entrusted with the safety of one of Her Majesty's ships ought to be familiar with. Then, again, there was the practice of reading charts, which needed long habit and experience. The duties of navigation, in fact, required such constant practice that it took a whole life to learn them. It must be the sole business of a man's life to make him qualified to navigate one of the enormous and unwieldy vessels of our Navy. The question had been very properly asked, what would have been the state of things if the captain of the *Agincourt* had been called upon to prepare his ship for action and had, at the same time, to be looking out for his bearings so as to be clear of the Pearl Rock? The great mass of naval authority was against the abolition of the class of masters, and he trusted that the result of that debate would be to put a stop to a change which, after all, had been only partially carried out, and therefore might easily be reversed, and which, if persevered in, would have the most injurious effect upon the future of the British Navy.

MR. CHILDERS observed, that the hon. and gallant Gentleman opposite (Captain Price) wished to re-open a matter which they had understood that the Admiralty had decided—namely, the gradual abolition of the existing class of navigating officers. The House, therefore, now had before it a very simple question, because there was no dispute on either side that every proper encouragement should be given to whatever officers were charged with the navigation and pilotage of Her Majesty's ships. But the debate had taken the ground put forward by the hon. and gallant Gentleman opposite, which was whether it was desirable to express an opinion that the policy of the Government in gradually extinguishing the separate class of navigating officers was an unwise policy, and one which ought to be reversed? Upon that point he would observe that it was impossible to galvanize into existence that which was practically dead. The expediency of retaining those officers as a separate class was questioned many years ago. The hon. and gallant Member for Devonport had quoted from a Blue Book in reference to an inquiry which he described as having been made in 1866, but that inquiry was made in 1862. The fact was several years after that inquiry into the subject fresh inquiries were instituted by the Board of Admiralty, and some years before he himself was First Lord decisions were taken on the matter by that Department after full discussion by its naval members. With that Report before them, the Duke of Somerset's Board, of which he was a member, came to a very important decision as to the continuance of the separate class of masters; and he thought it was in 1865 that it was absolutely determined by that Board, as a step preliminary to the abolition of the class altogether, to discontinue the entry of second-class or navigating cadets. He believed that the Board of Admiralty presided over by Lord Hampton reversed that decision, and re-commenced the entry of second-class cadets on a large scale, separating them from the others and training them in a new ship at Portland. When he (Mr. Childers) became First Lord in 1868 he had to consider whether the decision of the Duke of Somerset's Board to abolish the entry of young officers of the navigating class ought or ought not to be adhered to, and what they did was to place matters as nearly as possible back into their former position—that was to say, before the discontinuance of the entry of navigating cadets was decided on. They were to be trained as formerly with the first class or naval cadets, and the only change was that the age for entry was to be the same for both. But from the moment when the naval cadets and the navigating cadets were entered at the same age there were no applications, or very few applications indeed, for the appointment of navigating cadets. Thus it was from no desire of the Admiralty that the masters' class died out, because in 1869 the Admiralty wished to be perfectly fair and to keep up the class if lads offered for it. But as soon as the officers of both classes were put on the same footing, while there was great competition to enter the one, there was no competition to enter the other. In fact, to a large extent the navigating class was formerly recruited from boys who had passed the age for the naval cadetship. This was not the only cause. In old days there was no question about the rank or uniform of the masters, and no difficulty was felt in the matter. But the moment the uniform and rank of the two classes came to be a regular subject of discussion and grievance, and the two in the end were made as nearly as possible the same, so that all the world thought there was no difference between them—the moment they were put as far as possible on a par, the difficulty of keeping up the class was intensified because absolute equality was demanded. But, if the master class was to be restored, he put it to the House whether it would not be better to go back to the same state of things as before, and to let it be clearly understood that the master was to be a master, and not a Lieutenant with some shadow of difference which scarcely anybody understood. It was on these grounds that he hoped the Admiralty would not retrace their steps. As to the other points involved in the Motion, he wished to say that the claims of the dying-out class ought to be generously dealt with by Her Majesty's Government. As to the fitness of Executive officers for navigating duties, it was assumed that the officers of the Executive branch were not competent from their training to undertake the pilotage and navigation of ships. But he would remind the House that the two ships upon whose exploits the eyes of the Navy and of the whole country were fixed—ships which would have no fighting to do except, perhaps, with bears, whose work was navigating and surveying only: the ships engaged in the Arctic Expedition—were commanded by Captain Nares and Captain Stephenson, officers, not of the navigating, but of the Executive branch. He must oppose the Amendment.

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present,

House adjourned at a quarter before Eight o'clock.

HOUSE OF COMMONS,

Wednesday, 26th April, 1876.

MINUTES.]—PUBLIC BILLS—*Resolutions in Committee—Ordered—First Reading—*Sale of Coal * [132]; Kingstown Harbour * [136].

*Ordered—First Reading—*Chelsea Hospital Accounts * [133]; Local Government Provisional Orders, Briton Ferry, &c. (No. 4) * [134]; Local Government Provisional Order, Skelmersdale (No. 5) * [135].

*First Reading—*Patents for Inventions * [137].

*Second Reading—*Women's Disabilities Removal [20], *put off.*

WOMEN'S DISABILITIES REMOVAL BILL—[BILL 20.]

(*Mr. Forsyth, Sir Robert Anstruther, Mr. Russell Gurney, Mr. Stansfeld.*)

SECOND READING.

Order for Second Reading read.

MR. FORSYTH, in rising to move that the Bill be now read a second time, said: Sir, I have to make an announcement which I think will be acceptable to the House—namely, that I do not intend to make a long speech. Last year, when I introduced the question for the first time in a new Parliament, I thought it necessary to go into argument and details at some length; but the subject is now no longer new to the House, and I do not believe that anything new can be said upon it, either by those who support the Bill, or by those who oppose it. The only novelty I am aware of in connection with this matter since I last addressed the House on the subject, is the formation, or the attempted formation, of a committee or association of certain hon. Members of Parliament, who were so frightened at the progress that this question was making in the country, that they bound themselves by a solemn league and covenant to endeavour to save the ark of the Constitution from the sacrilegious hands of audacious women. I find that in the month of May last, at a meeting held in the House of Commons, the right hon. E. P. Bouverie in the chair, it was resolved—

> "That a committee of Peers, Members of Parliament, and other influential men, be organized for the purpose of maintaining the integrity of the franchise in opposition to the claim for the extension of Parliamentary suffrage to women."

That committee has, I believe, been formed; but, certainly, it cannot say, "*Trecenti juravimus*," for I do not believe that it ever numbered 30, and I doubt whether it has numbered twice 13. These champions of men's might against women's rights have, unless I am misinformed, failed as egregiously as Don Quixote, when he tried to found a new order of chivalry, and could only get Sancho Panza on his donkey to be his follower. But if they have not failed, I ask the House what has been the result? Has one single meeting been held against the principle of the Bill? Not one. Has there been a single Petition presented to this House against the Bill? Not one. On the contrary, in favour of the Bill crowded meetings have been held in every large town in England, Scotland, and Ireland, and by large majorities, or rather unanimously, resolutions in favour of the Bill have been enthusiastically adopted. This Bill is a measure for giving women the electoral franchise —unmarried women—widows and spinsters. It was first introduced, if I remember rightly, in 1866. The number of persons presenting Petitions in its favour in 1867 was 13,000, and last year in the month of August they amounted to 415,000; while, in the present year, up to the month of April, the number is 356,000. I am quite willing that the value of these Petitions should be tested according to the maxim *Testimonia non sunt numeranda, sed ponderanda.* The Petitions have been signed by persons of every class, description, and character. Among the signataries are Peeresses and commoners, naval and military men, landed proprietors and commercial traders, and a larger proportion of the middle classes, than have been willing to sign Petitions in favour of any other measure for the last 20 years. Among those who have signed the Petitions there are numerous Professors of the Universities and distinguished authors. I may mention one Petition that has been presented this morning by my right hon. Friend the Member for the University of Cambridge (Mr. Spencer Walpole). That is signed by 15 Professors, by 9 Fellows of Trinity College, and by 23 other Fellows, making a total of 32 Fellows of the different Colleges. This shows that the measure is not approved of merely by a few agitators—by a few persons who make themselves conspicuous by getting up agitations—but the principle of the Bill has permeated through all grades and ranks of society throughout the length and breadth of the land, and has commanded a general if not a unanimous approval. I may also mention, as a noteworthy fact, that a gratifying change has taken place in the tone of the public Press on this subject. There are many journals of great influence and wide circulation which openly espouse the movement, and of those which oppose it, there is hardly one that does not do so in a serious manner, no longer trying to treat the subject with ridicule instead of argument. I cannot refrain from expressing my satisfaction at the tone of the debate which took place in this House last year. It was, with one notable exception, worthy of the first deliberative Assembly in the world, an Assembly of Gentlemen; and with that one exception, which is not likely to be repeated to-day, there was no attempt to make buffoonery pass for wit, or offensive assertion do duty for argument.

Now I will briefly advert to the arguments on which I rest the principle of my Bill, and I will also glance at the objections which are urged against it. First of all, I say that taxation and representation ought to be reciprocal and correlative—that is to say, that no class of persons in this country ought to be taxed unless they have also the privilege of voting for those who impose the burden of taxation. Now the only class in this country that is taxed without its consent, is that of women. If you take the case of agricultural labourers, they, as a class, are not excluded from the franchise, because any agricultural labourer, who by thrift and industry can raise himself to a position in which he can occupy a house with a rental of £14 or £15, so as to be rated at £12, is entitled to a vote. Beyond this, a vote may be exercised by a lunatic in a lucid interval, by minors when they have attained their majority, and by criminals who have served the period of their sentences; but women, who cannot change their sex, are, because they are women, for ever excluded from a share in the franchise. What, I ask, does the franchise really mean? It means the opportunity of giving a vote in the selection of a person to represent the voter in the House of Commons. The women, for whom I ask this privilege, may be landowners discharging all their duties as such and bearing all the burdens and taxation of rates incident to property. They may be shopkeepers in active business, dependent in many cases entirely on their own exertions. There is also a large number of female farmers and graziers in this country, and this class would be much more numerous than it is but for the fact that in many counties in England the widow of a farmer has no chance of carrying on his farm because she has no vote. The fact is, that the landlord wishes to have as much power over his property as he can, and he will not let his farm to the widow of a farmer, because thereby the voting power will be lost. No exception is made with regard to fiscal liability or the burden of taxation in favour of women. They pay their full share of rates and taxes as owners of property; they are bound by the provisions of the criminal law in the same way as men; and there is not a single exception, that I know of, made in their favour. We all know that, as regards offences against morality, women suffer much more than their fellow-offenders, who are men, for such offences, than falls upon male offenders. I will give an instance of the injustice under which women labour as ratepayers. Some years ago the borough of Bridgewater was thought to be so corrupt that a Royal Commission was sent there for the purpose of investigating the charges against it. The result was unfavourable to the borough, and the cost of the inquiry was thrown upon the town, the inhabitants of which, at least those who were ratepayers, were compelled to pay the expenses. The female ratepayers very naturally said—"Do not tax us, we have had nothing to do with the corruption that has been inquired into, we have no votes; why, then, do you punish the innocent with the guilty?" But what said the Home Secretary? He said—"You are ratepayers, and you must bear your burdens as ratepayers, innocent or guilty." The consequence was, that the female ratepayers of Bridgewater, who had no votes, and who had nothing to do with the corruption, were punished by having to pay the costs of the inquiry incurred by those who had been guilty of corruption. In fact, with regard to women we read the maxim "*Qui sentit commodum sentire debet onus*," in this way—"*Quæ sentit onus non sentire debet commodum.*" Consider also our present legislation. We are not now engaged in heroic measures of organic change. The glory of our legislation is, that we are trying to improve the social position of the people. We are occupied day after day and night after night in discussing questions of education, of sanitary reform, of improving the dwellings of the people, of saving the lives and increasing the comfort of our seamen, and I want to know which of these questions can be said to have less interest for women than for the male population? Will you say that a woman is not as competent as a man to form an opinion on questions of health, of sanitary reform, and matters of that kind? If she is competent to form an opinion on matters that have to be discussed in this House, why is she to be deprived of a share in the choice of a Representative? The House will remember that my Bill does not propose to give seats in this House to women. Under it they will no more be able to sit in the House of Commons than English clergymen or Roman Catholic priests, who cannot sit although they have votes. Its object is not to enable them to legislate directly, but merely to give them a fractional share in the choice of those who are to represent them in Parliament. Will anyone tell me that women are not as good judges of character as men? Why, Sir, I saw in a newspaper, the other day, that certain male candidates, in a place where women had votes, were obliged to be withdrawn, because their character would not bear the scrutiny of women. I do not mean to say that any hon. Member of this House need be afraid upon that score, because the characters of hon. Members here are supposed to be spotless. But it shows that the purity of women, as intuitive judges of character, operates as an obstacle against the election of improper persons. Now I have said that all this Bill would give to women would be a fractional share in the choice of Representatives. Perhaps the House will be surprised to hear that the number it would add to the entire constituency of the country would not be more than about 13 per cent. This has been shown by statistics and figures which cannot be gainsaid or denied, and they have lately received a curious and important confirmation. There has recently been published a Return of all the landowners in the Three Kingdoms, and from that Return I find that the entire number of landowners who own one acre and upwards is 269,547, and the number of women who are comprised in that list is 37,806, which is nearly one in seven, or something about 14 per cent. I cannot give you the exact number of the owners of land of less than one acre, because I have not taken the figures out; but there is no reason to suppose that the proportion of women to men in this class would be less than it is in the case of those who own more than one acre, and consequently the result would be that there are 137,000 independent landowners in this country who are women. Only think of this! There are 137,000 widows and spinsters who are owners of land, who are subject to all the burdens incident to the possession of property, who are discharging all the duties consequent on their position, and yet not one of them is possessed of the same privilege which is given to the drunken male occupier of a house in a borough, who pays 5*s.* towards the relief of the poor. Women do vote now at municipal elections, and I believe that since that measure was passed there has not been a single objection to the way in which they have exercised their votes. We know also that women have votes for and may act as guardians of the poor. We know likewise that they vote for members of school boards, and that they can also sit at school boards, which is going much farther than I propose to go by my Bill. I will read to the House an extract from a Petition which has been presented to the House by the Vestry of St. Pancras. They pray that the Bill may pass, and they say—

> "Many of the women in this parish have given much attention to matters of Imperial and local importance, and take considerable interest in the election of various local bodies, such as school boards, vestries, and boards of guardians, and in all such elections they are entitled to the same privileges as men; and in the late election for members of the school board 827 voted in this parish."

I might advance other arguments in favour of the principle for which I contend, but I will content myself at the present moment by reading a passage that was made in this House a few years ago by the present Prime Minister—a speech which seems to me to be unanswerable. The right hon. Gentleman the Prime Minister said—

> "I say that in a country governed by a woman, where you allow women to form part of one of the Estates of the Realm—I allude to Peeresses in their own right—and where they have power to hold manorial courts, and may be elected as churchwardens or overseers of the poor, I do not see, where a woman has so much to do with the Church and with the State, on what reason, if you come to right, she has not a right to vote."

If any right hon. Member of the front Treasury Bench—the usual occupants of which, by the way, are conspicuous by their absence—should rise for the purpose of opposing my Bill, I hope he will try to answer the arguments of the Prime Minister.

I will now deal very shortly with the objections to this measure. The first objection that used to be urged has now been abandoned. It used to be said that women are so much inferior in point of intellect to men that they could not be trusted with a vote. This objection is never urged now. During the debate in this House last year not a single Member ever alluded to it; indeed, it is too absurd to be advanced at the present day. When we look at the literature of our time; when we see the activity and ability of female pens; when we see women foremost in all works of benevolence and charity, not merely by contributing the contents of their purses, but also by originating schemes, such for instance as that of female emigration; when we find them doing work which, a few years ago, very few men were competent to do, because they were not then accustomed to the machinery, I say it is absurd to maintain that women intellectually are not equal to men, and therefore are not fitted to exercise the franchise. All I ask by this Bill is that they should be allowed to exercise a voice in choosing a person to represent them in the House of Commons. Can you say that women are naturally unfit to exercise that privilege? I say they are not naturally unfitted for it, and if they are unfitted, it is because we have made them so by our legislation. I think that the body of women might address each hon. Member of this House in the words of Milton—

> "Accuse not Nature: She hath done her part;
> Do thou but thine."

I do not say that there are not foolish women, and I can only give for this the same explanation as the immortal Mrs. Poyser, who said—"I am not denying that some women are foolish; God Almighty made them to match the men." But it is said that this Bill is an innovation. But that objection has little weight with me. When a measure is proposed, I ask myself not whether it is new, but whether it is right. Just consider where we should be if we were influenced by this argument. Take the last 50 or 60 years. Was not the Emancipation of Slaves an innovation? Was not the Reform Bill an innovation? Was not Household Suffrage an innovation? And were not the Ballot, and the granting of municipal franchise to women also innovations? Well, I want to know whether is there a single Member of this House who would wish to reverse the hand of the clock of time and go back to the state of things which legislation on those subjects has put an end to? We have had the experience and the benefit of those innovations. Everything must have a beginning. Sketch back the series of precedents, as far as you like, and you will at last come to a first precedent, which is an innovation. It would take more time than I can spare to explain the reason why the enfranchisement of women has been so long delayed. But I will briefly say that the position of woman towards man has, until a comparatively late period, been that of a subject and subordinate class. Their education has been shamefully neglected, and we have been content rather with a few superficial and showy accomplishments than the healthy culture of their understanding. I do not allude to cases in which women have won for themselves as high a niche in the temple of fame as men—to astronomers, such as Mrs. Somerville; or to authors, such as Charlotte Brontë, and George Elliot. But I would ask you to remember the number of books of history, biography, science, and art that have been written, and the practical questions that have been discussed, as well as the mode in which they have been discussed, by women. Depend upon it, the more we recognize the political and social rights of women, the more we shall advance in the progress of civilization. I will quote a passage from the work of a thoughtful and philosophic writer — Sir Henry Maine—who, in his *Early History of Institutions*, has said—

> "It will probably be conceded by all who have paid any attention to the subject, that the civilized societies of the West, in steadily enlarging the personal and proprietary independence of women, and even in granting to them political privilege, are only following out still further a law of development which they have been obeying for many centuries."

But, Sir, it has been asked, and the question deserves an answer—What are the wrongs of which women complain? What are the wrongs which we cannot redress? And what also is the help which women can give us in legislation? As regards the wrongs of women, my answer is—that it is wrong that any class in a free estate should be placed in the position of a political Pariah. Any class must feel that it would be a grievous wrong to be thought incapable of exercising a right which is conceded to the rest of the community. Let me carry your imagination back for a few years. Remember what was the law regarding property in the case of married women. A few years ago every married woman, unless she was rich enough and of sufficient rank to have trustees under a marriage settlement, was deprived of her property, which upon her marriage devolved upon her husband. The result was, that any poor woman, who by thrift and industry had acquired property, could have the whole swept away by a drunken husband, because in the eye of the law her earnings belonged to him. It was a long time, and not until after a great struggle, that this House remedied that abuse, and more remains to be done in the same direction. As the House is well aware, a woman cannot now by law appoint a guardian for her children. A man may appoint his wife as his children's guardian; but when he is dead, and she is on her death-bed, she cannot appoint even a brother or sister as the guardian of her child. Is this just? Is this fair? What I am about to mention is an instance of the social tyranny that prevails amongst the lower classes with regard to women, who are looked upon as inferior creatures, mainly on the ground that they are not allowed to possess political privileges. In 1849 there was an inquiry in reference to schools of design, and some questions were asked with regard to the way in which women are treated by their rival workmen. A question was put by my hon. Friend the Member for the University of Cambridge, to Mr. Minton, as follows:—"Am I correct in the information I have had, that in painting flowers females are not allowed the use of the rest for the arm?" The answer was—"Yes; the men have a rest, the women have not." The question was then put—"Can you give the Committee any reason for that?" The answer was—"It is an arbitrary rule just the same as that under which women are not allowed to use gold to gild." This was one of the rules adopted by the male workers, and the women having no voice in the formation of trade regulations had no option but to submit. It has been asserted that this practice has ceased to exist; but there is good reason to believe that it still remains in force, if not to its full extent, yet in a modified form. Secondly, as to the help which women can give in the treatment of questions with which the Legislature have to deal, I answer, that the object of my Bill is not to make women legislators, but to enable them to assist in choosing legislators. I believe that in this respect a woman is quite as likely to make a good choice as a man. Women are proverbially better judges of character than men, and character ought to count largely in the choice of a Representative in Parliament. If my Bill becomes law, 13 women for every 100 men will assist in the composition of the House of Commons. Are you afraid that that percentage will injure or deteriorate the body of men that sits within these walls? Will they be less intelligent, less logical, less eloquent, less independent? Are you afraid that they will be more sentimental and less practical? For my own part, Sir, I confess that I should not be sorry if the intensely practical nature of our debates were now and then enlivened by a touch of sentiment, and something of the grace of rhetoric; but I have neither hope nor fear that the kind of men who will come here after this Bill has passed into a law, will be at all different from what they are now. The local magnate, the wealthy manufacturer, the opulent trader, the rich brewer, the large landowner, will still be the favourite candidate, as is generally the case at present. But the advantage will be this. In the first place you will have removed a wide-spread feeling of discontent at what is thought to be political injustice, and you will have forced upon the attention of candidates questions which affect the interest and happiness of one half the population of the Kingdom. But the real objection to this measure, and the one which is at the foundation of all others, is a feeling of sentiment. It is thought that for women to exercise the franchise is unfeminine—they ought to have nothing to do with politics, but leave them to the coarser and rougher nature of men. Let me examine this objection a little closely, for, if it can be got over, there is hardly any other that deserves even attention. And first let me say that I freely admit that public display and platform agitation are not the proper sphere of women. I think that retiring modesty and unobtrusive gentleness are their peculiar charm. And I confess I shall be glad when the time has come when it will be no longer necessary for women to appear at public meetings, and make speeches in vindication of their claims to a share in the electoral franchise. But observe the dilemma in which they are now placed. If they absent themselves from these meetings, and their voices are mute, it would instantly be said that they do not care for the suffrage, and I should be told that I was advocating the cause of clients who were themselves wholly indifferent about the result. I remember when I was a boy I was often placed in a cruel dilemma by the inexorable logic of my nurse, who told me that "those who ask shan't have, and those who don't ask don't want." If women are silent on this subject, they are said to be hostile or indifferent, and if they speak they are said to be unfeminine. But consider for a moment what the possession of the franchise really means. It means that on an average, once in five years, a woman who is an independent householder, paying rates and taxes, shall have the opportunity of affixing a cross to a piece of paper, and dropping it quietly behind a screen into a box. How can this possibly change her nature and unsex her character? I agree that if we had not the Ballot something might be said about the unpopularity which a woman might incur in voting for a particular candidate, and the possible persecution that might follow when she had recorded her vote. But now she can vote as quietly and with as little inconvenience as if she were going to church or a meeting-house. Besides, we have the actual experience of what every year takes place at municipal elections and school boards, where local party spirit often runs high, and personal predilections come strongly into play; and I have never heard of the smallest evil having been the result of the exercise by women of the franchise they possess on those occasions. I have heard it said that if this Bill passes, married women will claim a right to vote, and their claim must be conceded when manhood suffrage is granted, so that in that event, as the female population exceeds the male by upwards of 300,000 souls, the pyramid of society will be inverted, and men will be governed by women. But, in the first place, unless you dissociate altogether the franchise from property, married women will never have the necessary qualification. Secondly, the number of those who think that a married woman should vote under any circumstances whatever is exceedingly small. Thirdly, you can always refuse to grant an unreasonable demand. There are only two other objections, which I will notice rapidly. It is said that women, if not actually, are virtually represented. But I thought that the doctrine of virtual representation had been long ago exploded. A hundred years ago it was contended that the American colonies were virtually represented in the House of Commons—and so it was gravely argued. We all know what was the result. It might just as reasonably have been asserted that the working classes need not have votes because they were virtually represented in Parliament, inasmuch as their interests and the interests of employers of labour are in reality identical. But the franchise was given to them, and we know that the result has been that their wants and wishes are much better attended to in the House of Commons. Besides, even if it were true that women are virtually represented, that is no reason why they should not share in the franchise, unless on other grounds you can show that it is objectionable. But, in point of fact, they are not even virtually represented; for when a whole class is shut out from the electoral franchise, it stands to reason that their interests are likely to be neglected. The last objection which I shall notice is the favourite one that this is the thin end of the wedge, and that if women are allowed to vote, they will ask to sit in the House of Commons. Well, Sir, and suppose they do? Cannot we successfully oppose so preposterous a demand? Do you think that by adding 13 per cent to the male constituencies, men will be compelled to grant to women whatever some of them may be foolish enough to ask for? Will it not, on the contrary, be much easier to resist what is unreasonable when we have considered what is reasonable and just? Do you not think that we stand on firmer ground to refuse it, if a cry for manhood suffrage were to be got up in the country, now that we have granted Household Suffrage, than if we had excluded the great mass of the working population from the franchise? I have said nothing in my speech as to how this question might influence the balance of Parties. I should be ashamed to have done so, for this reason, that I do not think any of us have a right to support or oppose this measure simply because it may in one way or another affect the balance of Party. I do not know how it would affect the balance of Party. I believe you would find as great a divergence of opinion among women on political questions as among men: but however that may be, I say it would be wrong to oppose a measure simply because, in extending the franchise, it would affect the balance of Party, unless the measure in itself is wrong. I entirely agree with what was said by the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster), who, when arguing the question of the enfranchisement of the agricultural labourers, said—

> "For anything I know, a good many agricultural labourers may vote against us; but of all considerations which should influence public men, I think that of the immediate Party effect of a measure is the one we ought to entertain least. I think honesty is the best policy in this as in many matters."—[3 *Hansard*, ccxxv. 1073.]

The right hon. Gentleman the Member for Greenwich said, a few years ago, in speaking on the same subject—

> "I would set aside altogether the question whether the adoption of such a measure as this is likely to act in any given sense upon the fortunes of one political party or the other. It would be what I may call a sin against first principles to permit ourselves to be influenced by any feeling we might entertain on such a point."

I entirely agree with the two right hon. Gentlemen. We have nothing to do with the Party consequences of this measure; we have merely to decide whether it is right in itself. I shall detain the House no longer, but, thanking it for the attention with which it has heard me, I now move the second reading of the Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. W. Forsyth.*)

VISCOUNT FOLKESTONE: I feel that in moving the rejection of this Bill it may be considered presumptuous on my part to undertake such a task on the first occasion on which I have ventured to raise my voice in this House, but I have been urged to do so by those whose opinions on such a subject I am bound to respect. I have listened with great attention to the speech of the hon. and learned Member who moved the second reading of this Bill (Mr. Forsyth), and I have failed to detect any argument which has not been advanced over and over again by hon. Members who have supported the measure on one or other of the almost innumerable occasions when it has previously been before the House. This measure has been so often debated on former occasions, *pro* and *con*, by learned politicians, eloquent speakers and practised debaters on both sides of the House, that it would ill become me to venture to travel over the ground they have occupied so well. My observations, therefore, will be extremely brief. I shall confine myself to one or two plain facts which appear to me to warrant the House in rejecting this measure yet again. I will first refer to the argument that has been referred to this afternoon by the hon. and learned Member for Marylebone in support of the Bill—namely, that women who hold property, who have to undertake the duties to which the possession of property is incident, and who contribute to the taxation, ought to have a vote in the election of the Representatives who frame the laws which regulate that property, and who control the expenditure of the taxes to which they contribute. The second argument I shall allude to is that which says that women not being directly represented in this House, the laws relating to subjects in which women are particularly interested do not have due consideration from hon. Members of this House who belong exclusively to, and are elected entirely by, the male sex. Such laws have been specially referred to as the laws relating to marriage, to divorce, and to the custody of children. Now, Sir, as regards the first argument, it appears to me that unless it can be proved—and if I understood the hon. and learned Gentleman the Member for Marylebone aright, he denied that it could be proved — that the effect of giving widows and spinsters the franchise would be to bring an accession of wisdom to the Legislature; or, if women's property is subject in any way to laws different from those which regulate the property belonging to the male sex, I fail to see how this measure can benefit the female sex in any way. For selfish motives alone, if for no other reason, the male sex frame as good laws as it is possible for human ingenuity to devise for the management of property and the control of the expenditure of the taxes to which women, as well as men, contribute, and as women's property is under the same law as that which regulates the property of men, I say that what is "sauce for the gander" ought to suffice also as "sauce for the goose." When this measure was first introduced into this House, married women were also intended to be enfranchised. But, Sir, when it was found that one of the most convincing arguments, on the part of the opponents of the measure, was that to give the franchise to married women would be to upset the natural and social relations of married life, and disturb all that harmony which ought to prevail in the married state, this part of the Bill was dropped, I presume, as a "sop to Cerberus," and now the House is asked to accept it in its modified form. But, Sir, when that part of the subject was dropped, if I remember rightly, it brought down a perfect storm of abuse and vituperation on the devoted head of the hon. and learned Member who has charge of the Bill from those—and they were chiefly women—who advocated the measure outside this House. Now, the hon. and learned Gentleman the Member for Marylebone has distinctly repudiated the idea of wishing to give the suffrage to married women. But, Sir, if the possession of property and the payment of taxes be admitted as a reason why widows and spinsters should have votes, how is it possible to exclude married women? If we are to give the suffrage to widows and spinsters, why should those women, who fulfil their duty by becoming wives and mothers, be debarred from that which widows and spinsters are permitted to possess? Why should unmarried women be supposed to be and be permitted to have something better than their married sisters? The distinction seems to me to be highly indefensible, and if this Bill is passed, it is positive that the votes of married women must follow. But with regard to the second argument, that the laws relating to the female sex do not have due consideration in this House, this appears to me to be a still stronger argument in favour of extending the suffrage to married women, for at any rate as regards those laws to which I have alluded, such as the marriage laws, the law of divorce, and the laws relating to the custody of children, married women surely have a far greater interest in, and must naturally have far greater knowledge of, such subjects than spinsters; and yet, although these arguments apply with ten-fold greater force to those who are to be excluded by this Bill from the possession of the suffrage, those women are to be classed, as has been said in a former debate, with lunatics, idiots, and minors. To come to another question which the hon. and learned Gentleman the Member for Marylebone has alluded with great force; if women are to have a voice in the choice of Members, how is it possible, in conformity with the practice of Parliament, to prevent them being chosen as Members? Let us suppose for one instant that a constituency chooses to elect a lady to represent it in this House; let us suppose that she comes to the Bar of the House and demands to be admitted to these benches as Mr. O'Connell did nearly 50 years ago, how are we to make good our right to refuse her permission to sit and vote in this House? Besides, we must remember that a very few votes are sufficient to turn an election. The other day it happened that at a political conflict between two gentlemen who were of diametrically opposite political opinions, both were prepared to pledge themselves, in order to obtain the object they had in view, to vote for a measure which many hon. Members of this House regard as meaning nothing less than the dismemberment of the Kingdom. Therefore, it is perfectly easy for the House to conceive that at the instigation of a few ambitious women, hon. Members might be returned to this House pledged to support their claim to the right of sitting on these benches. If women were admitted to this House, what would be the result? The duties of government would be carried on in a far more impulsive, and in a far less rational manner than has hitherto been the case. But besides this, it behoves us to consider what would be the result of our legislation on those who come after us in times when our great grandsons may be occupying these benches. "Sufficient for the day is the evil thereof" is not a motto that ought to obtain credence in the House of Commons. The House is aware that the adoption of household suffrage in the counties has already been mooted. The right hon. Gentleman the Member for Bradford (Mr. W. E. Forster), speaking the other day, alluded to that proposal as not only necessary, but as one that was likely soon to be realized. Now, Sir, as women are, as the hon. and learned Member has stated, in a large majority over the male sex, the Government of the country would, if they were admitted to the franchise, virtually be in the hands of the female sex. If this Bill be passed with the result I have tried to pourtray, though unfitted by nature, habit, or physical power for such a position, women will be placed in competition with men. What, then, would become of that refining and humanizing influence which is begotten of the respect and deference which now the stronger sex invariably pay to a woman? What, I ask, would become of that influence, strong though undefined, which women now so happily wield for good? For woman's sake, therefore, as well as for the general welfare of the country, I confidently appeal to the House to reject this measure once again by a large majority. I apologize to the House for having detained it so long. I sincerely thank the House for the kindness with which it has listened to me, in spite of my want of skill in expressing my views. I, however, feel very strongly on the matter, and it appears to me to be certain that if this Bill be passed, instead of the present beneficent arrangement under which, according to the plan of an allwise Providence, men and women work side by side in their own sphere, each combining with the other to produce that harmony which promotes the well-being of the home and family, and consequently of the nation, we shall inaugurate a new state of society where the two sexes, no longer distinct in their occupations, aims, and pursuits, will enter on an unequal struggle, in which be assured the weaker, the gentler, and the frailer sex will inevitably be the victims and the conquered. I beg to move the rejection of the Bill.

Amendment proposed, to leave out the word "now" and at the end of the Question to add the words "upon this day six months."—(*Viscount Folkestone.*)

Mr. LEATHAM: *Mr. Speaker, in rising to support the Amendment of the noble Lord, who has just addressed the House with so much marked ability, I am not insensible to the disadvantage under which I labour in having to occupy ground which has been already so well occupied by him, but I feel sure that the noble Lord will forgive me if to some extent I attempt to do so, with the view of still further strengthening the powerful defence which he has offered to the attacks of the hon. and learned Gentleman opposite (Mr. Forsyth). Now, Sir, the hon. and learned Gentleman concluded his speech by seeking to disarm opposition, upon the plea that this is no Party question. I can discern nothing in it about sewage, or about suet, or about Suez, so perhaps we are entitled to think that it is scarcely a subject for the Conservative Party to take up. But let me remind the hon. and learned Gentleman that his coadjutors in the country, and more especially the ladies, are endeavouring to convince the Liberal Party that it is a question for them to take up; and with such success that it has been already introduced into the extensive programme of the National Reform Union. By a course of reasoning which I am wholly unable to follow, but which has greatly impressed the mind of my hon. Friend the Member for Edinburgh (Mr. M'Laren), they are attempting to show that because some recent municipal elections have gone in favour of the Liberal Party, whereas the last General Parliamentary Election went greatly in favour of the Conservatives, and because women have votes at municipal, but not at Parliamentary elections, if we give votes to women, they will chiefly be cast upon the Liberal side. Now, if that be a specimen of feminine logic as applied to political questions, should we give votes to women, I pity the future of political questions. Why, women had just as much votes at municipal elections in 1874 as they have now; yet it is notorious that the municipal elections of 1874 went just as much in favour of the Conservatives as the Parliamentary elections went. And it is by reasoning like this that the ladies have imposed upon the venerable sagacity of my hon. Friend the Member for Edinburgh; but then my hon. Friend is not the first strong man who has been shorn of his strength upon the lap of Delilah! Sir, I will not stop to inquire whether this measure will promote the selfish interests of this Party or of that. When there is no more to be said for a Bill than has been said for this by the hon. and learned Gentleman, the interests of both Parties are identical; they demand that both Parties should combine, as I expect that they will combine to-day, to give it a summary and signal rejection. Now, the hon. and learned Gentleman has spoken of the humble organization which has been formed within these walls to resist his measure; and unbounded is the ridicule which he strives to pour upon the little knot of hon. Members who have availed themselves of the simplest form of organization known, in order, if possible, to keep the Government of the country in the hands of men. But, notwithstanding the ridicule of the hon. and learned Gentleman, and without leave asked of him, those of us who think that whatever else the Government of the country should be, it must be manly and masculine; and whatever else should be the policy of the nation, it must reflect to the full the courage, the energy, and the intellect which belong to men, will still venture to combine, even although the immediate object of that combination be nothing more ambitious than to resist the eloquence of the hon. and learned Gentleman, and the periodical advances of that body-guard of beauty which attends him and his measure to the House. Sir, the hon. and learned Member has said a great deal about Petitions. I should have thought that if there be one place in the United Kingdom in which an hon. Member would care not to parade Petitions got up by an Association, that place would be the House of Commons; for there is no place in which the art and trade of petitioning is quite so well understood. But we have special knowledge of some of these Petitions. I have presented two Petitions to-day from the borough which I represent in favour of this Bill. As those Petitions only reached me on the eve of this debate, I have not been able to examine them. Last year, however, I presented a similar Petition, signed nominally by 6,000 persons, and that I was able to examine. I never presented so disreputable a Petition in my life. The Petition for the Claimant was a masterpiece of caligraphy in comparison with it. There were whole columns of name without a single signature. The Petition must have been hawked about the mills and signed by proxy for illiterate children who could not write their names. The House is not likely to be much impressed by such petitioning as that. I presented a Petition the other day from the Mayor, aldermen, and burgesses of Huddersfield in favour of this Bill. Now, I never heard of any enthusiasm in our town council in favour of women suffrage, so I took the trouble to inquire how many of the town council had voted for this Petition. The town council consists of 56 persons, of whom only 21 had voted for the Petition. Now, when we remember the kind of pressure which is brought to bear even upon Members of this House to support this Bill, and also that parties are evenly divided in the wards, and that women have votes at municipal elections, I think that we shall have no difficulty in discounting at their real value Petitions from town councils. Sir, the hon. and learned Gentleman charges us with abandoning first this argument and then that; I reply that we have abandoned nothing, but, that, as a controversy develops itself, it is natural that we should lay greater stress at one time upon one set of considerations than we lay upon another. Perhaps, too, the opponents of this measure are gifted with a trifle more originality than appears to fall to the lot of its promoters. For I have observed that the hon. and learned Gentleman, when he addresses himself to this question, always speaks in stereotype, whether with the view of propitiating the reporters, or from a laudable desire to simplify reply on the part of those to whom his friends are in the habit of denying the faculty of reason. Indeed the arguments which he brings forward for his Bill are most of them neat importations from America, where the Woman's-Rights movement is no longer in the bud, as it is in this country, but is already full blown, and is diffusing, as I shall endeavour to show before I sit down, a very perceptible aroma. The hon. and learned Gentleman has also wished the House to infer that an argument upon which we have always laid some stress—the argument from immemorial usage—is worthless, because in some instances, and notably with respect to slavery, we have set it on one side. But, Sir, nobody has said that the argument was conclusive. All that we have asserted is, that immemorial usage constitutes a very powerful presumption in favour of what is. And as to the taunt which my hon. Friend the Member for Manchester (Mr. Jacob Bright) has hurled at us—that such an argument has no right to come from this part of the House—I repudiate altogether the assumption upon which such a taunt is based. If to sit with Radicals is to turn one's back upon all history—if to be a Radical is to close one's ears to that voice which in every thoughtful man is always ringing in them—I mean the voice of the universal experience of mankind—all I can say is, that for one I must take an abrupt departure from these benches, and seek refuge in some part of the House in which, whatever else hon. Members may be, at all events they are not Radicals. But because with regard to some few questions—very few indeed compared with those which might have been raised—we have thought fit, after mature deliberation, to depart from the conclusions which were arrived at by our forefathers, to argue that we are therefore precluded from appealing to what always has been in England—and not only to what always has been in England to what always has been in Europe, and not only to what always has been in Europe, but to what always has been the whole world over—is not the kind of argument which I should have expected from my hon. Friend. Sir, the hon. and learned Gentleman asserts that in giving the franchise to women in connection with the elections for school boards and municipal councils we have already conceded the principle of this Bill. That such a claim should be advanced in the face of repeated declarations—that those changes, if made, should not be regarded as precedents in this direction, is not a little surprising. But a moments consideration will convince the House that they are no real precedents at all. The school-board franchise was given to women almost without discussion, and because everybody felt that there was nothing unfeminine in a woman's assisting in the election of persons who were to superintend the education of girls. Besides, if this be a precedent, it is a precedent which proves too much. In school-board elections the right of voting implies, as it ought always to imply, the right of being voted for; and women are frequently returned to the school boards. But the hon. and learned Member kicks down his precedent with his own foot, for he says that he is inflexibly opposed to the return of women to this House. Again, with regard to the municipal franchise, let me remind the hon. and learned Member, who was not then in the House, that the municipal franchise was not given to women by a distinct and deliberate Act Act of Parliament, but by an Amendment slipped into the Municipal Franchise Bill at 2 or 3 o'clock in the morning, when two-thirds of the House, myself, I must admit, included, were locked in the arms of slumber. And I fear that the House has never regarded municipal affairs in the exalted light in which they strike aldermen; but when we come to deal with the privileges of those who return us to this House, the case is very different, and rightly so, because no real comparison can be drawn between the petty controversies of town councillors and the Imperial debates of this House. When the hon. and learned Gentleman brought in his Bill last year he challenged us, if the women's municipal franchise were a mistake, to move for its repeal. That the hon and learned Gentleman should have made such a suggestion betrays great familiarity with the rules which govern the policy of this House. It may very well happen that the inconvenience which generally follows each piece or even morsel of ill-considered legislation may ultimately compel the House to retrace its steps. But until there is no escape from such a course, the House will continue to stand by its acts. But, Sir, I will throw the hon. and learned Member a counter-challenge, which I venture to think much more appropriate, and it is this—if the municipal female franchise be not a mistake, why, instead of meddling with the Parliamentary franchise, does not the hon. and learned Member come down to the House with a proposal to extend the female municipal franchise to Scotland and Ireland? But, Sir, perhaps the main argument of the hon. and learned Gentleman is based upon the proposition that taxation and representation are reciprocal and correlative terms, and that, therefore, since women are taxed, they ought to have the vote. Now, I deny the proposition entirely. In this country, everybody is taxed; and the man who, in all probability, is taxed the most heavily is the man who has the least power of remonstrance: I mean the habitual drunkard. In a country in which every one is taxed, but only about one-fifteenth of the population, or one adult male in five, possesses the franchise, it is absurd to set up the bald proposition that taxation and representation are reciprocal and correlative terms. But the absurdity becomes all the more flagrant when we remember that, even in the exceptional cases in which the vote is possessed, the voting power of the individual bears no relation whatever to the amount of his contribution to the Exchequer; furthermore, that the same individual, if he happen to reside in one part of the country, exercises a hundred times the voting power which he would exercise if he happened to reside in another. I do not know the number of the hon. and learned Gentleman's constituents; but I will venture to say that each free and independent elector of Portarlington possesses a hundred times the voting power possessed by each one of the far-sighted politicians whose enlightened choice has fallen upon the hon. and learned Member. Now, what is the inference from all this? Why, that when we are dealing with that glorious masterpiece of wisdom and haphazard, which we call the British Constitution, we must not generalize too fast, and we must not theorize too violently. The same remarks apply to the assertion that the franchise is based upon the possession of property, or the payment of rates, or the headship of the family. If it be based upon the possession of property, it is the most iniquitous franchise as between man and man which ever existed, because the voting power of the elector bears no proportion to the amount of property which he possesses. If upon the payment of rates, it is the most illogical; for how can the discharge of a municipal obligation, which is already rewarded by a municipal vote, confer also a distinctly Imperial privilege? And if upon the headship of a family, how can the hon. and learned Gentleman demand it for spinsters, who ought to have no families at all? The fact is, that, by a rough-and-ready method—a method so rough and ready that it involves anomalies and inequalities which deprive the claim to vote of any symmetry in logic—you have contrived to give a general representation to the community—a representation which, on the whole, works well, because the community is, on the whole, homogeneous and penetrated by a sense of justice and fair play; but which would work execrably if the theory of the hon. and learned Member were the true one, and the community consisted of a variety of conflicting interests which were only restrained from over-reaching and demolishing one another because they were held in a state of numerical equilibrium. But perhaps I shall be told that this is not precisely the line of argument which was followed by some hon. Members who spoke from this part of the House when the great question of the franchise was last under discussion. Very likely, but I reply that it is impossible to look back upon any great controversy which has stirred the House, and which is already 10 years old, without being struck chiefly with one thing—I mean the high percentage of clap-trap which entered into the argument upon either side. Clap-trap is the faithful handmaid of reason; and, to judge from some speeches to which we listen, there are some hon. Members to whom the handmaid—and they have classical authority for the preference—is more attractive than the mistress. But, Sir, there was one argument which not even the piercing and solvent criticism of the right hon. Gentleman the Member for the University of London could altogether dissipate, and it was this—that, in every free country, there is in every man of quickened intelligence a sense which the spectacle of our whole public life is calculated to foster; that his status as a man, as a member of the great ruling sex, demands some recognition at the hands of the State; and that when that recognition is made through his enfranchisement a positive stigma is removed from his manhood, and he feels that he, too, has his manly part to play in public. But apply this argument to the case of women, and it disappears. No woman can feel a sense of inferiority as regards other women because she has not the vote, for the simple reason that no woman has the vote. Nor can any woman feel justly a sense of inferiority as regards men because she has not the vote, for to vote and to rule have never been the prerogatives or the ambition of the sex, and her relations with ours have always been of an entirely unpolitical character. This is why nine-tenths of the women in the country either stand altogether aloof from this movement, or vehemently protest against the Bill. They know that their kingdom is not a political kingdom, and they have no desire to exchange the vast influence which they exert over our conduct, aye, over our legislation too, on the ground that they are to be cherished and protected, for the flimsy and tawdry boast, without one particle of force to back it, that they have become our political equals, and can protect themselves. And, Sir, in this relation, seeing my hon. Friend the Member for

Manchester in his place—and no one rejoices more than I do to see him there again—I should like to say a few words with reference to a speech which my hon. Friend has recently made as President of the Women's Suffrage Association, and in which he paid me the compliment of passing in review some of the arguments by which I have been in the habit of resisting this Bill. My hon. Friend was especially hard upon what he called the "spherical argument"—the argument which is based upon the existence of a distinct sphere of duty for men and for women. I cannot help thinking that my hon. Friend's ridicule was a little misplaced. Instead of lavishing it upon me, he should have reserved it for the arrangements of Providence. If he is really prepared to dispute the existence of women's sphere, he ought also to be prepared with some new plan for the perpetuation of the species. Is there anything in the whole round of human duties which so moves our admiration and respect as the utter devotion of the true mother to her offspring? But what say the advocates of women's suffrage?

> "Women would not live as they now do, in this enlightened age, in violation of every law of their being," says Mrs. Stanton, at New York, "giving the very heyday of their existence to the exercise of one animal function, if subordination to man had not been made through the ages the cardinal point of their religious faith and daily life."

Now, I dare say that I shall be accused of ribaldry in making this quotation, and commenting freely upon it. You are always accused of ribaldry when you say anything with reference to the obligations of the sex, which is distasteful to some women. I was accused of ribaldry when, on a former occasion, I ventured to hint at the inconvenience which would arise when women had seats upon the Treasury Bench, if, at some great political crisis, say when we were about to amplify the titles of the Sovereign, the Prime Minister had suddenly to forego the sweets of office for the sorrows of maternity; and I dare say that I shall be accused of ribaldry now; but I will risk it, for, Sir, it is high time that some one who still believes in the sanctity of the family should speak out, whether the highest and noblest of women's duties be thus publicly flouted by a woman at New York, or whether the same thing be done in the covert and guarded, but no less mischievous, language of hon. Members who scoff at woman's sphere. And what is the argument upon which my hon. Friend relies to dispose of the "spherical theory"? Why, that there are multitudes of men and women—and he might have added children—who are engaged upon the same avocations. That is only saying that women are human beings, and have hands and feet. But I should like to ask my hon. Friend one question, and it is this—Has the attempt to assimilate indiscriminately male and female labour been a success? I never pass a gang of women sweltering in the fields —I never see women filthy and half-naked toiling upon the spoil-bank of a colliery—I never even watch the young mother lavishing upon the spindles the care and the health which God designed for her children—without thinking of my hon. Friend. We are told that there are little more than three millions of married women in this country. If that be so, why is it? It is because in some parts of the Kingdom the abuse of female labour has almost obliterated the home. Men will not marry women who know so little of household duties, and who have so few of the virtues which are essential to make home happy. What is the result? A bastard population is springing up, which is bound to society by no ties, while thousands upon thousands of intelligent and able-bodied men have left these shores in search of some country where the labour market has not been disorganized by the indiscriminate introduction of female labour. But my hon. Friend exults in all this. He seeks to crown this edifice of domestic disaster by still further unsexing women; and yet if there be anyone in this House the evidence of whose senses should have taught him how great is the demoralization which follows the abuse of female labour, one would have thought that it would have been the hon. Member for Manchester. It may be, Sir, that the employment of multitudes of women upon most unwomanly labour is one of the harsh necessities of our times, but it is a thing to deplore; it is not a thing to exult over; it is not a thing at which to point in triumph, and say—"The man who believes in the existence of two distinct spheres of human duty is an ignoramus or a dreamer." There is one man, Sir, who is an ignoramus or a dreamer—the man who can observe his own offspring, his own boys and girls, and not discern, almost from the cradle, a vast divergence in mental organization—a divergence which is enormously augmented by the development of sex. It is not the law of man the stronger, but the law of a stronger than man, which has consigned, and I may say, consecrated, woman to the family; while his superior strength and courage, his love of argument and conflict, and, if my hon. Friend will not quarrel with me for saying so, his masculine intellect, which summons man to the Forum and the Senate—there to exercise those manly faculties which God has given him for the management and the mastery of mankind. And, Sir, if the argument from natural right and so forth is disposed of, what remains? Is it possible to conceive anything more pitiable than the plea for pity which the hon. and learned Member for Marylebone has put forward to-day? He tells us that our legislation with respect to women has been, for centuries, the legislation of the strong over the weak; and the grand result of all these ages of oppression appears to be comprised in nothing worse than this—that in some schools of design, women are not allowed to use a rest in painting! Oh, yes! I forgot the grievance of farmers' widows. It is a great grievance that the widows of farmers are unable to hire or keep their husbands' farms, because they have no votes for the landlord to pocket. But when it is the object of the promoters of this Bill to show how many women are earning their own livelihood, they point in exultation to the fact that there are no fewer than 24,338 women who are farmers. But, mark the glowing inconsistency of the hon. and learned Gentleman. He demands the franchise for women, on the ground that women ought to have an independent voice; and, in the same breath, he demands it for them because it is a shame that they should not enjoy all the advantages of being coerced! And then there is the great Bridgewater grievance, which is duly paraded every year. Some ladies of Bridgewater protested against having to pay their share of the expense of a local election inquiry, on the ground that they had no votes, and had had nothing to do with the bribery. They might just as well have declined to pay their share of the expense of a local lunatic asylum on the ground that they were not lunatics. But, Sir, assuming that these grievances exist, how will the Bill before the House remove them? And if I wish to find an apt illustration of the bogus character of this Bill, and of the whole reasoning upon which it is defended, I have no further to go than to the only argument which is sufficiently plausible to have the least weight with the House. I mean the assertion that there are some millions of women in this country who are earning their own living, and that our legislation may interfere with their labour. We are told that, upon the common principles of justice and of the British Constitution, we are bound to make them parties to that legislation. Why, then, in the name of justice and the British Constitution, do you not propose to make them really parties to it? Why do you only propose to enfranchise 1 woman in 40, of working women not 1 in 400; while man, the antagonist, man, the competitor, man, whose selfish interests are inimical to those of women, is enfranchised in the proportion of 1 in 5? There is no justice in your proposals upon your own grounds; on the contrary, there is the greatest possible injustice. For, granting the antagonism of the sexes, granting the competition between male and female labour, granting the power of this House to handicap the competitors, and granting that women must have votes in order that they may properly control the handicapping process in the House, how can you come down and propose the enfranchisement of 1 woman in 40 as that which is to enable woman to sustain the legislative balance between the sexes, to protect her labour, to rescue her property from our greed and her children from our custody? Either your premises are unsound or your conclusions are ridiculous; and these are the people who are going about telling everybody that it is we who cannot reason when we come to deal with this question, and that the monopoly of reasoning is with them. If this be reasoning, Sir, I hope that they will long enjoy the monopoly. But, Sir, if the Bill before the House is likely to be so completely inoperative, I may be asked why I take the trouble to oppose it. I oppose it upon two grounds: firstly, because, as I have attempted to show, taken by itself, it is an imposture; secondly, because, not taken by itself, but in connection with the principle which it is intended to affirm, it is one of the most dangerous and revolutionary measures which can be brought into the House. For what is that principle? The political equality of the sexes. What does that mean? It means that women are as well qualified, and as justly entitled as we are, to discharge all political functions, not merely electoral, but legislative, administrative, and judicial; it means, further, that all legislation which bars these careers to women is unjust; it means, further still, that all legislation which decrees the subordination of women to men in the normal condition of marriage is oppressive, and ought to be repealed. For how can you maintain the subordination of a sex which has been declared the political equal of the other? All reason and all justice would cry out against such oppression; and, accordingly, when we turn to lands in which the Women's Rights movement has shaken itself loose from the shackles of conventional prudence, we find the principle affirmed by this Bill carried out to its logical issue in the inexhaustible programme of the party. The difference between the advanced women of America and the hon. and learned Gentleman is this—that, granting the premises which they demand in common, the advanced women are logical, but the hon. and learned Gentleman is simply irrational. There is no woman who speaks from the platform of the Apollo Hall who would not scorn the feeble expression of women's rights which is comprised in the Bill of the hon. and learned Member; and justly, for no more cruel sarcasm could be flung at the sex than that which the hon. and learned Gentleman flings at them when he says "Woman is the political equal of man, therefore enfranchise 1 woman in 40, and she will be content." And in stating that this Bill would enfranchise 1 woman in 40, I should like to hear from the hon. and learned Gentleman whether I do not exceed the mark. No doubt, he is in possession of statistics which will show the amount of satisfaction and contentment which his measure will confer upon a grateful sex. If so, let us have them. The House would be glad to know what infinitesimal representation will satisfy the aspirations of the woman of Great Britain. But the woman of America demands the enfranchisement of half the American nation: she declares that she is bringing about a revolution greater than any religious or political revolution which the world has ever seen: she speaks of the accident of sex, and the superstition of marriage; and among those who write to the great congress at which these startling truths are propounded, heartily sympathizing with the object of the meeting, I find the name of my hon. Friend the Member for Manchester.

Mr. JACOB BRIGHT: I presume I may be allowed to make an explanation. My letter gave sanction to no object beyond that of the representation of women.

Mr. LEATHAM: Speaking of my hon. Friend, and of the hon. and learned Gentleman who has charge of this Bill, the accomplished Editor of *The Womens' Suffrage Journal* asks us "What we may not expect from the combined efforts of two such champions?" There is one thing, Sir, which we may not expect, and that is anything like agreement upon the cardinal point which is raised by the proposal to enfranchise married women. My hon. Friend is evidently about to take part in the debate. If I am wrong, let him tell us, like the hon. and learned Gentleman, that he has no ulterior views; that he is "inflexibly opposed to the enfranchisement of married women;" that he has effected a political separation from the gifted and indignant lady who writes letters to *The Times* under his name. But if my hon. Friend shrinks from this avowal, if he tells us, as in conformity with his speeches elsewhere he is bound to tell us, that he is in favour of the enfranchisement of married women, then, Sir, when he rises, let him denounce, as he is bound to denounce, the sophistry, the mockery, and the imposture of a Bill which, while pretending to remove the electoral disabilities of women, leaves every woman, except the widow and spinster, out in the cold!

Mr. JACOB BRIGHT: The noble Lord the Member for South Wilts (Viscount Folkestone) who has moved the rejection of this Bill went over old ground, and it was necessary, perhaps, that he should do so. He dwelt on the fact that the Bill would only enfranchise unmarried women; and this is the scope of the Bill. But it should be remembered that the promoters of the measure in this are only treading in the old lines of the Constitution. From time immemorial, when women have had votes—as they have in local elections—the rate book has been taken for the purpose of a register. This Bill takes a further step in the same direction, and uses the rate book as the register. In the elections for the school board there is an occasion when it would seem that married women, as the mothers of the children to be educated, should have votes, but there again Parliament decided to take the rate book as the register. In the course of his speech, the noble Lord said that the taxation of men and of women was the same, and he told us that, "sauce for the gander was sauce for the goose;" but he failed to show why in legislation dealing with property the "sauce for the gander" was not allowed to be "sauce for the goose." Of course, the hon. Member for Huddersfield (Mr. Leatham) has referred to Petitions presented in favour of the Bill. Now, I find that in looking at a Petition we are disposed to think favourably of it, or with disapprobation, according to whether it is in our favour or against us. It is the commonest thing in the world to speak slightingly of a Petition against us, or to refer with satisfaction to one that favours our views. But I will say that no class of Petitions brought to this House will bear a closer inspection than those presented on this subject. The hon. Member, referring to the clause conferring the municipal franchise upon women, spoke of it as an Amendment which was slipped into the Bill. But it was before this House for weeks, and it was considered by the Cabinet. It was passed not without discussion, the right hon. Gentleman the Home Secretary making a speech in its favour. When it came before the House of Lords it met with opposition from Lord Redesdale, and Lord Cairns supported it. The hon. Gentleman the Member for Huddersfield has done what has been done 50 times before by those who wish to bring discredit on questions in this House. Not finding matter for the purpose in England, he has travelled to America, and he gives us extracts from documents referring to the movement for the enfranchisement of women, of which I know nothing. It is an old trick, but I suppose it is used, because it is found to answer its purpose. I have been challenged to give my opinion on the subject. I have never concealed my opinion, and I do not wish to do so. I would give a vote to every householder in the Kingdom, man or woman. I would not stay to ask if a woman were married if I found her name upon the register, I should consider her as possessing the qualification, and I would give that woman a vote. If it be contemplated that some day the principal of manhood suffrage will be introduced, and that is the reason why there should be objection to this Bill, it is a reason with which I have no sympathy. I will not contemplate the time when a man only because he is 21, whatever may be his character, shall have the right to vote and every woman shall be excluded. The hon. Gentleman has referred to what I have heard called the "spherical argument." In reply to former speeches in this House, I have undertaken to show that men and women do not occupy different spheres, but that they intermingle in most of the pursuits of life. In art, in education, and in literature, and in many of the domains of labour this may be seen; and when my hon. Friend draws a picture of men and women working together in the degraded walks of life, I could show him a very different picture, with none of these degrading features. In Lancashire and such districts he might see men and women by the thousand, and the hundreds of thousands, working side by side at the same machinery. The speech of the hon. Member has tended to obscure a very simple question. Parliament has established various qualifications for counties and boroughs, the possession of any one of which enables a person to vote. Some 2,000,000 persons, by virtue of these qualifications, have claimed the vote, and have been admitted to the register; but there are 300,000 persons possessed of the same qualifications, who claim the right to vote and are contemptuously rejected, and yet he can give no sufficient reason for their rejection. They are many of them in possession of property and education. As to intellectual fitness, I will not discuss such a barren question; I will only say that among those whose claims have been refused a great number are engaged in important pursuits, and wage successful battle to support their families. They have enough intellectual qualifications to decide between the merits of two political candidates. If there is no doubt as to their intellectual fitness, what shall we say about their moral fitness? They are more temperate, more law-abiding, more frugal; they pay their rates and taxes with greater punctuality, and they are less often in the hands of the police than many of the enfranchised class. What reason then is there for the exclusion? The one thing put forward as a reason is—that they are women. There may be many men to whom this reason will appear all-sufficient. I can only suppose these are men whose experience of the other sex has been unfortunate—whose mothers, or wives, or sisters have happened to be weak, or ignorant, or selfish; but I am sure that amongst the Members of this House there has been a very different experience, and that there are those who are not contented with this answer as the country is not satisfied with it. The question, as the hon. Member ought to know, is growing throughout the country. I do not think you could call together a meeting in any part of the country of a thousand persons, where a resolution in its favour would not be carried. Allusion has been made to an association formed in this House for the purpose of opposing this Bill. I am disappointed to find this association is still-born. We understood it was to get up Petitions, and that it was pledged to obtain the opinion of the people. I am sorry this was not done. The promoters of this Bill have challenged the opinion of the country whenever the opportunity offered. Some 18 months ago a political congress was held in London. It was of a somewhat mongrel character, and there was only one subject upon which they were able to decide. After a long argument a resolution in favour of this Bill was carried. The National Reform Union is an association having many connections in the North of England. The association when settling the objects for which they should unite, brought this subject under discussion, and a lady present—a lady who bears an honoured name—Miss Sturge, of Birmingham, desired that the resolution should be expressed in accurate language, and moved an amendment that all householders should have a vote. Without discussion this was carried by a large majority. I was informed only last night by a gentleman from Birmingham of the feeling in that town. He said that twice in the Town Hall the Liberal Association had agreed to support this Bill by almost the whole of the meeting; and further that the committee of four hundred, embracing the most energetic men of the town, had at the last meeting agreed unanimously to petition Parliament in its favour. Again at King Edward's School, Birmingham (an institution well-known to many hon. Members), my informant tells me that everyone of the masters has signed a Petition in favour of the Bill. My hon. Friend has spoken on the subject in his personal character, and not as the Representative of the people of Huddersfield. The people of the borough are against him. [Mr. LEATHAM: No.] My hon. Friend has tried hard to convince his opponents; but, whatever success he may meet with in this House, he has failed to convince his own constituency. About six months ago, at Huddersfield, there was one of the largest meetings ever held in that borough. At the close of that meeting a resolution was moved, urging the Member for the borough to support this Bill. A friend of the hon. Member who was present—of course there were many of his friends present—I mean one of his political friends, did not like this Resolution, and tried to alter it, considering it was not fair to press their Member. But in the whole of that vast meeting there was not a single person to second the amendment, and the resolution was carried with that solitary dissentient. We often judge a cause by the kind of men put forward to defend it. Thus the fact that the agricultural labourers were able to find one of their number possessing the ability and moderation of Mr. Joseph Arch, did much to obtain for them respect in the eyes of the country. There are too many eminent women who have defended this cause for me to mention all of them, but among the names are those of Harriet Martineau, Mary Somerville, Florence Nightingale, and Frances Power Cobbe. These and many more have supported this Bill, and have signed Petitions to this House, and are not these ladies as likely to be right on this subject as the hon. Member for Huddersfield or the hon. and learned Member for Taunton? Do not they know the needs of their sex? There is another I may mention as a representative woman—the daughter of the senior Member for Birmingham. She has made a speech—which I daresay many hon. Members have read—which for political grasp, breadth of sympathy, and at the same time moderation of tone, has not been excelled, I will venture to say, by any Member of this House who has spoken in opposition to those who advocate this Bill. This is not the first time that fears have been entertained on the subject of an extension of the franchise, but those fears have generally found expression on the Conservative benches. Now, however, we hear them from this side of the House, below the Gangway. My hon. Friend the Member for Huddersfield had great boldness in other directions. By a stroke of his pen, if he had the power, he would admit a million of the labourers of England, and half a million of those in Scotland and Ireland; he would give votes to a million and a half, many of whom are in a state of extreme poverty and great ignorance. But when asked to give the right to 300,000 persons, many of whom are not illiterate and poor, he becomes greatly alarmed. His political courage in other directions is well known. He can make clever speeches, I will not say they are always wise ones; he can make wild appeals for the disestablishment of the English Church. Now, I am in favour of the disestablishment and the disendowment of the English Church; but I look upon it as too great and momentous a task to be undertaken by a Prime Minister advanced in years. It requires time to ripen, and cannot be effected without delay; but my hon. Friend has courage enough to require it to be done on the spot. Among the farmers of the country an eleventh part are women. He would give their labourers votes, but he would deny votes to these women. One-seventh part of those owning landed property of one acre and upwards are women. I fail to see why we should deny the vote to those who own the soil and give a vote to those who cultivate it. The question of representation has been discussed in this House from time to time through the whole of this century. Usually hon. Members on this side have favoured such reforms, while opposition has come from those who now sit on the other side. It is curious to see the position of parties with regard to this Bill, the reverse of what was usually the case. The right hon. Gentleman the Prime Minister has voted for the Bill, the noble Lord the Postmaster General, the Chancellor of the Exchequer, the First Lord of the Admiralty the President of the Board of Trade were in favour of it, while on the front bench on this side only one or two hon. Members gave it their support. They had made appeals in favour of household suffrage, that if properly expressed would have been described as male household suffrage. But it would have spoiled many a peroration to have done this, and it would be difficult to use such language. It would show that whilst professedly just and generous they were really in favour of political monopoly and political privilege. The right hon. Gentleman the Member for Bradford (Mr. W.E. Forster)—whom I regret is not in his place—has frequently made appeals in favour of household suffrage in this House and in the country, and in order to give more weight, or, if I may so call it, pathos to his argument, he used the words "hearthstone suffrage;" but what an extraordinary thing it is to make a selection of your hearthstones, and exclude those hearths which of all others needed the constitutional protection of the vote—hearths where were found all the virtues that go to make this country great. I do not care to judge the political conduct of men by any rigid standard, but those who have a serious purpose in life should exhibit a general consistency. Hon. Members on the front bench on this side show a singular inconsistency. Either they have gone too far, or else they have gone not far enough. You have given women the franchise in municipal contests, you have given votes in school-board elections, and allow them to become candidates, and in these contests the political element largely enters. In Birmingham, in Manchester, and many places ladies have contested seats successfully. You propose to give them University education, and to allow them medical diplomas, and you invite them to tasks requiring great skill and intellectual power. You have done all this. You have taken up this position, and I ask you is it wise, or is it statesmanlike to stop there? I defy you to stop there. You must either go further or you must go back, and withdraw the privileges you have granted. I do not know what may be the result of the division at the close of this debate. As to that I am not anxious. I am more anxious to know the feeling of the country which is unmistakeably growing in favour of the Bill, and when the door is again opened to give further admission to persons now outside, there will, I believe, be enough just men on both sides of the House to give us a real and honest household suffrage.

MR. NEWDEGATE: Gradually, Mr. Speaker, the wide issue involved in this apparently petty Bill is becoming palpable to the House. This measure was brought in, if I may be allowed to use the expression, at the tail of the great political movement which had been inaugurated by the late Government, when hon. Members were induced by those feelings which are creditable to them towards the other sex, to lend too easy an ear to the promptings of a few ambitious women, and these women are, after all, merely the instruments of those who have long and inveterately designed the destruction of the form of government established in this country. Everyone must have remarked, in the speech of the hon. and learned Member for Marylebone (Mr. Forsyth), who introduced this Bill, with how much pains he sought to describe it as a petty measure. The hon. and learned Member, who has the good fortune of being a male Representative of the borough of Marylebone, but desires to become its epicene representative, thus described the measure which he has introduced. He said that this Bill would only make an addition of 13 per cent to the present constituency. He assured the House that his proposal would make no difference in its constitution, and that the same kind of Members, nay, the same persons, would be returned if this Bill be passed as now. He said that there had been great changes effected within the last half-century. He said that Roman Catholics and Jews have been admitted to seats in this House. He said that there have been two Reform Acts; and another innovation, which I agree with him is the greatest innovation of our times—namely, the system of secret voting, instead of open voting, has been adopted by Parliament. That, Sir, is the greatest and is the worst innovation that has been made in the representative system of this country. Now, I do not say that lightly, because this proposal is one consequence of that change. The first of my political studies were prosecuted in the United States of America, more than 30 years ago, when Harrison and Tyler were the candidates for the Presidency and Vice Presidency; and on that occasion I watched the operation of the vote by Ballot in the United States. I saw it as none but a young man, with good recommendations, though personally unknown, could see it; and 30 years afterwards, when the Ballot was being discussed with a view to its adoption in this country, my late Friend Mr. Graves, then Member for Liverpool, produced a Report of a Committee of the Senate of the United States, proclaiming and denouncing the abuses under the Ballot which I had seen in operation in the United States 30 years before. "Oh!" said the hon. and learned Member for Marylebone, "we have now the Ballot; and what will it matter if we allow a few women to go once in three or four years behind a screen to drop a paper into the ballot-box?" I would ask, Sir, is not this bringing the franchise into contempt? and will it not confirm and perpetuate that contempt if the House were to adopt such a plan as this, and for no immediate or important object, and for the sake of producing no sensible change in the constitution of this House, repeal the law of the country, a law which prevails throughout the world, and should thus reject and repeal an enactment founded upon the law of nature, which debars women from the exercise of the political franchise *per se* in their character of women? I have, Sir, been consulted by many persons upon this subject, both by Members of the House, and by persons out of the House in private, and I have been asked—"Why do you object to the admission of women to the franchise?" To that question I have returned one answer—"That it is the most democratic measure in principle that could be devised;" because the natural feeling of men with respect to women, which has been implanted in them from the earliest days of which we have any record, even from the days of Adam, is such that, if you admit any women to the franchise, I defy you hereafter to keep any men out of the franchise. They will not submit to it. That is shown in the rules which workmen have adopted throughout various trades for the regulation of their own industry. It may be said, perhaps, that these are selfish rules, and they are selfish; but only in the sense that the rightful head of the family claims for himself priority in labour as the chief breadwinner. If that be selfishness, it is selfishness for the family. I am convinced of this—that the plea that this Bill is founded upon the principle of the representation of property is utterly fallacious. This House has gone too far; the Legislature has gone too far for that. You have adopted the system of household suffrage in the boroughs; you have also adopted the system of lodger franchise in boroughs; and you contemplate, though I hope the day is far distant, the system of household, which is an occupation franchise, for the counties. In fact, you have practically done with the representation of property; and if you flatter yourselves that you are about to revive it in the persons of a few women, I tell you that the democratic, the ultra-democratic tendency of this Bill, which is so regarded in the United States that the Legislature there has rejected it as being too democratic for their Constitution, will utterly overbear you. This, which is represented to you as a petty measure, is the first step towards, not only manhood suffrage, but to universal suffrage, in the sense of admitting both men and women, as of right, in the person of each individual subject or citizen of the State, to the possession of the franchise. If you once accept the principle that the franchise is a right, you cannot, without inflicting injustice, refuse to adopt manhood suffrage, or even the universal suffrage of both sexes. I object to this extreme measure, because it tends to the establishment of despotism. Have we not heard of, have we not known something of, Empires founded upon Plebiscites? Does this not prove that ultra-democracy, as the foundation of any institution, means mob-law? and inasmuch as the mob has no capacity for legislation, the mob seeks refuge from its own incapacity in despotism. In this respect, I thoroughly agreed with Mr. Goldwin Smith. At first he was favourable to this measure; but he went to the United States, to the wide school in which I was taught, and there he arrived at a conclusion directly opposed to the adoption of the principle of this measure, however modified; for he found that in the United States it was rejected, because it was felt that the principle of this measure is utterly uncontrollable. Perhaps the House will allow me to quote a passage or two from the writings of Mr. Goldwin Smith on this subject. He is a gentleman to whose political opinions upon other questions I am entirely opposed. He is an ultra-Liberal, and was an advocate of this Bill until he visited that great sphere of experiments —the United States of America. This is the description which he gives of what he saw. He condemns the view which was taken by the late Mr. John Stuart Mill with regard to the relations of women to their husbands in this country, and throughout the world. He writes—

> "Mr. Mill and his disciples represent the lot of the woman as having always been determined by the will of the man, who, according to them, has willed that she should be the slave, and that he should be her master and her tyrant. 'Society'"—and here he quotes Mr. Mill—"'both in this (the case of marriage) and other cases, has preferred to attain its object by foul rather than by fair means; but this is the only case in which it has substantially persisted in them even to the present day.'"

This is Mr. Mill's fundamental assumption; and from it, as every rational student of history is now aware, conclusions, utterly erroneous as well as injurious to humanity, must flow. That is the view of marriage upon which this proposal was advocated by its most powerful representative, Mr. John Stuart Mill. Elsewhere Mr. Goldwin Smith quotes against Mr. Mill's historical records, with an extract from which I will trouble the House. He says—

> "That the present relation of women to their husbands literally has its origin in slavery, and is a hideous relic of that system, is a theory which Mr. Mill sets forth in language such as, if it could sink into the hearts of those to whom it is addressed, would turn all affection to bitterness, and divide every household against itself. Yet this theory is without historical foundation. It seems, indeed, like a figure of invective heedlessly converted into history. Even in the most primitive times, and those in which the subjection of the women was most complete, the wife was clearly distinguished from the slave, The lot of Sarah is different from that of Hagar; the authority of Hector over Andromache is absolute, yet no one can confound her position with that of her handmaidens. The Roman matron, who sent her slave to be crucified, the Southern matron who was the fierce supporter of slavery, were not themselves slaves. Whatever may now be obsolete in the relations of husband and wife is not a relic of slavery, but of primitive mar-

riage, and may be regarded as at worst an arrangement once indispensable which has survived its hour. Where real slavery has existed it has extended to both sexes, and it has ceased for both at the same time. Even the oriental seclusion of women, perhaps the worst condition in which the sex has ever been, has its root, not in the slave-owning propensity so much as in jealousy, a passion which, though extravagant and detestable in its excessive manifestation, is not without an element of affection. The most beautiful building in the East is that in which Shah-Jehan rests by the side of Nourmahal."

Mr. Goldwin Smith thus condemns the view of the marriage state which was held by the leading mind that advocated the principle of this Bill, who wrote, that the married woman is a slave; but what does this Bill do? It proposes to enfranchise her unmarried sisters, but to leave the wife in the position Mr. Mill described as that of a slave! Will the House permit me to take one further glance at what Mr. Goldwin Smith found in the United States, where this movement for the enfranchisement of women originated, though it is still unsuccessful there—

"In the United States," says he, "the privileges of women may be said to extend to impunity, not only for ordinary outrage but for murder. A prisoner, whose guilt has been proved by overwhelming evidence, is let off because she is a woman. There is a sentimental scene between her and her advocate in court, and afterwards she appears at a public lecture. The whiskey crusade shows that women are practically above the law. Rioting and injury to the property of tradesmen, when committed by the privileged sex, are hailed as a new and beneficent agency in public life; and because the German population, being less sentimental, asserts the principles of legality and decency, the women are said to have suffered martyrdom. So far from the American family being the despotism which Mr. Mill describes, the want of domestic authority lies at the root of all that is worst in the politics of the United States. If the women ask for the suffrage, say some American publicists, they must have it, and in the same way every thing that a child cries for is apt to be given it without reflection as to the consequences of the indulgence."

I will not detain the House by reading more of this article from the pen of Mr. Goldwin Smith, though I should like to read the whole, because it so thoroughly confirms my own early observations and the lessons I learned in the United States. If, with this extraordinary deference to the wishes of women, with this extraordinary deference for them, which practically sets them as rioters above the law in the United States, still the Legislature firmly resists the principle, which this House is now asked to adopt, is it for the Legislature of England to set at defiance that which has hitherto been a law of Nature, that man should go forth to labour and to warfare as the defender and representative of woman? Is it for the Legislature of England to admit this ultra-democratic principle tending to despotism which the Legislature of the United States, notwithstanding all the urgency with which it has been assailed, has hitherto resisted? Mr. Goldwin Smith also observes that, if this unwise measure were to be adopted, it would tend to the establishment of a despotism, and probably a despotism of the worst kind—a sacerdotal despotism. I quite agree with him. Any man who has read the works of Michelet must know that, if the majority of a constituency in any country were composed of women, and if the Roman Catholic Church, for example, were to become the dominant power in this country—an object which has been very much encouraged by a certain section of this House—we should not only have a despotism, but probably a despotism, following upon a Democracy, either governed, or overturned as in France in 1852 by the internal though extraneous force of the Papal despotism. It is to this view of the case that I attribute the favour which has been shown to this proposal by the Representatives of the Ultramontane Roman Catholic priesthood. [*Laughter.*] Hon. Members who are the representatives of Ultramontane opinions laugh; but will they deny that this proposal, if adopted, is calculated to augment the influence of the Roman Catholic priesthood? But, Sir, it is enough for me, other considerations apart, that this Bill is founded upon so violent a principle that it has been rejected by the Legislature of the United States. We are told by the hon. and learned Member for Marylebone that it will not affect the constitution of this House; then, what reason is there for passing it, if it is not to produce any change? What good can it do to the widows and spinsters of this country if it produces no effect on the constitution of this House? What is this but to tell us that the Bill has been introduced merely as an electioneering lollipop, as a sweetener for those who have undertaken the promotion of the measure for the sake of bringing themselves before the public? There can be no other interpretation put upon this minimizing of the scope and object of the Bill. It has been argued, especially by the hon. Gentleman the Member for Manchester (Mr. Jacob Bright), that because women have, by an accidental interpretation of the law, been admitted to the municipal franchise, therefore they ought to have the franchise for the election of Members of this House. I will give the House a specimen in point illustrative of how this matter went at Huddersfield. The hon. Gentleman the Member for Huddersfield (Mr. Leatham) has, in a most able speech, which did him great honour, declared his disagreement with the Petition he had presented from the municipality of Huddersfield in favour of this Bill; and here is a description from an authority which cannot be suspected of any bias against the Bill as to how this Petition was got up. I hold in my hand a copy of *The Women's Suffrage Journal*, edited by Lydia E. Becker, of April 1st, 1876, and here is an extract from a report of what took place in the Huddersfield Town Council, when the Petition to this House from that body was proposed for their adoption. That proposal was made, and this is the manner in which *The Women's Suffrage Journal*, a publication specially devoted to the advocacy of this Bill, reports the proceedings—

> "Alderman Woodhead"—[*Laughter*]—"Alderman Woodhead seconded the Motion, and said—'Seeing that so many of the Council were indebted to the ladies for the seats they occupied at that board, he conceived they would not be unwilling to extend to their female constituents the privilege of voting for Members of Parliament, especially as they had displayed such excellent taste in voting them into the Council."

So, according to Alderman Woodhead, the election of several members of the Council—I suppose his own was so—is due to the ladies of Huddersfield, and he argues that because the ladies of Huddersfield have voted himself (Alderman Woodhead) and others into the Town Council of that borough, they should be invited to display the same good "taste" in Parliamentary elections, and that, therefore, these ladies should have the right of voting in the elections of Members to this House. We have the assurance of the hon. and learned Member for Marylebone that it would effect no alteration in the character or conduct of hon. Members so elected to seats in this House. Sir, I regard this measure as containing a most dangerous and revolutionary proposal, the disguise of which the hon. and learned Member has failed to penetrate—a fact which is manifest to me from the mode in which he has advocated it. It is a proposal that has been rejected by the Legislature of the United States, by the Autocrat of Russia, who has enfranchised all his serfs, and by the common consent of all mankind. There is, indeed, an exception to the decision of the United States; this exception is not that made by a State, but by a small territory containing 15,000 inhabitants on the outskirts of the United States. The proposal before the House has been adopted by the 15,000 inhabitants of the territory of Wyoming; but I trust that the House of Commons will be guided in its decision to-day by the example of the civilized world, and not by that of the territory of Wyoming.

DR. WARD said, that having listened with considerable attention to the debate, he was struck by the great difference in the manner of those who opposed the Bill as compared with that of those who supported it. While the promoters of the Bill advanced their arguments carefully and quietly, those opposed to the measure replied with considerable warmth, answering not so much the speeches made in that House as the violent speeches of some foolish persons outside. He thought that warmth rather suspicious, as it appeared to be resorted to in the want of any real argument. That there was a want of such arguments was further shown by the fact that the attack was almost wholly confined to matters which were not in the Bill. They were told that it was most objectionable, because it was highly to be deprecated that married women should have votes. But the Bill did not give the married women votes, and the hon. and learned Member opposite (Mr. Forsyth) who introduced the Bill distinctly stated that he was opposed to give votes to married women. Those whom it was now sought to enfranchise were in a wholly different position as regarded representation from married women. Married women were practically already represented, but the unmarried female ratepayer was not. Women when they married gave up, for the sake of a higher privilege, many advantages which they previously possessed, and, moreover, in several cases they gained considerably in political influence. But the owners of property who were not married females were cut out. It was next argued against the Bill that women, if they got votes, must necessarily get seats in that House. The hon. and learned Member distinctly stated that it had no such object, and he pointed out to the House the fact that while clergymen had votes, they had not seats in the House. He (Dr. Ward) maintained that to argue because women had votes they would therefore obtain seats was wholly untenable, more especially when they considered the fact that clergymen who long had the franchise —who were a body of eminence, power, and ability—had not asked for, and if they had would have no chance of obtaining, seats in the House. He repeated, that in the course of the debate almost all the objections raised were directed against matters that were not at all in the Bill. Then they had all kinds of prognostication as to the evils that would at some distant period occur if this Bill became law. They were told that it would lead to the adoption of the whole programme of the women's righters. Now, he was as much opposed as any man in that House to what was known as women's rights, and he denied that this was a measure leading to it. It was a measure in itself just, and to reject it as a merely fanciful prognostication of opponents he considered ridiculous. If they rejected measures on such grounds, he feared they would do but little in that House. There was hardly a measure which could be brought forward as to which prophecies of evil could not be uttered. As usual, the hon. Gentleman the Member for North Warwickshire (Mr. Newdegate) was the most far-fetched and grimly solemn in his forebodings. He told the House, and he challenged contradiction, that the clergy of the Roman Catholic Church were working earnestly for the measure, in the belief that, because of their influence over women, they would thereby gain considerable political power. He (Dr. Ward) denied that there was any proof as to the opinion of the Catholic clergy on the matter. He believed there was considerable difference of opinion amongst them on the subject. [*Laughter.*] The hon. Member for North Warwickshire might laugh, but he should remember that his statement was a mere assertion. He (Dr. Ward) further thought that the hon. Gentleman should remember that when he made assertions, as he was accustomed to do, involving grave charges against a body of clergymen—when he stated that they were conspiring to obtain by this measure political power for the exercise, as he termed it, of "priestly despotism," he should, at least, bring forward some proof. Then it was urged, as an argument against the Bill, that because some people who advocated it wished to go very much further, therefore it should be rejected. He believed there was hardly any hon. Member of that House who, if he were a Frenchman, would not support the establishment in France of a proper free municipal system; but surely by doing so they would not necessarily join the Commune. He would once more repeat that not an argument brought forward in opposition dealt with the real provisions of the Bill. Unmarried women who were rated, by vote had at that moment the right to deal with three most important concerns in England—they had the right to vote for the administration of the Poor Laws, they had the right to vote for the management of municipal affairs, and they had the right to vote for the regulation of the education of the country. Those were three of the most important questions which could occupy the attention of the House, and made up, perhaps, three-fourths of its business. He could not, then, see how they could fairly refuse them the Parliamentary franchise. For those reasons, as well as from the fact that the opponents of the Bill had failed to advance any real argument against it, he would support the second reading.

Mr. SMOLLETT: In 1875, when this little curiosity of a Bill was introduced and came to a second reading, I ventured to say a few words against its further progress. The observations that I made on that occasion have excited the intense ire and indignation of the women out-of-doors, some of whom acquire notoriety, while others gain a livelihood by this movement. The consequence has been that at every meeting held in town or country to carry on this agitation, which after all is a tempest in a teacup, I have been honoured with the abuse of some females, whom I can only properly designate in the affectionate language used by Mr. Mantalini to his wife when she upbraided him, as a set of "demnition savage lambs." I was abused in good company. Hon. Gentlemen who were present at the discussion in April, 1875, must remember the able and eloquent speech of the hon. Gentleman the Member for Huddersfield (Mr. Leatham) against the Bill. Well, that hon. Member appears to have come under the ban of those terrible women, who, at a meeting held at Huddersfield, have represented him to the people of that town as a silly, feeble, and irrational creature. The hon. Member and myself have been held up to the little world in which these women live as culprits compelled to bend their backs for the last 12 months under the well-directed scourge of fair but merciless executioners. I learn this and a great amount of twaddle of the same kind from *The Women's Suffrage Journal*, which they have sent to me. It is a work published in Manchester, edited by Lydia Becker, and published at an office in 28, Jackson's Row, Manchester, where may be obtained any number of ready-written Petitions in favour of the measure. I presume this is the reason why so many of the Petitions are identical. They are as like as two peas; in fact, they all come from the same mint. Now I have read this literature with much attention, and I must say that the sayings and doings of those ladies have not convinced me of two things—first, I am not satisfied that they have any right or title to speak of themselves as representing the sense or intelligence of English women; and, secondly, they fail to show me that this little Bill is an honest attempt to give them the privileges they so ostentatiously demand. For what are the facts? There are in this country, or rather there have been, a number of associations recently organized in this country for the attainment of female suffrage. Those societies call themselves national societies, and collect subscriptions from people who are foolish enough to give them money, for nothing in this country can be done without a little ready cash. Those people have agents in all the large towns, who tout for signatures to Petitions. The societies also employ persons to itinerate the Provinces, and as women-lecturers attract better than men, attractive women are generally employed. They have been visiting the town of Cambridge recently, and some of my constituents tell me that there have been very fascinating women there lately, some of them uncommonly enticing. Now, what are the doctrines which these apostles in petticoats disseminate? They lecture on the rights and wrongs of women, they proclaim the equality of the sexes, and they lay down as an indisputable dogma that woman is entitled to every privilege in social, civil, and in political life that man is entitled to enjoy. They declare that no woman on account of her sex should be debarred from practising or following any trade or profession which any man is entitled to follow, and that any laws which restrict them should be at once abrogated. Now that is an intelligible dogma, and he who runs can read it; but how does this Bill meet the case? It ignores the dogma altogether; it deals with the franchise only, and so far as women are concerned, it deals with it in a very fragmentary manner. Now the franchise, let me tell the hon. and learned Member for Marylebone (Mr. Forsyth), is not the greatest privilege which a man can enjoy. In the profession of the law a man can attain to the highest position without being a freeholder or enjoying the franchise. He may fill lucrative offices under the Crown, and yet not enjoy the franchise. I represented a county for 10 years, and I was eligible to fill any position of trust which Her Majesty's Government might have thought me fit to occupy. Certainly, they never gave me any, and more's the pity, but I never had the franchise, and I do not think the franchise is worth one shilling. There are upwards of 30,000 electors in the borough of Marylebone, and I would ask how many of those does the hon. and learned Gentleman suppose would remain on the register if 2*s.* 6*d.* was charged every year as a registration fee. I say that I think one-half would be struck off to-morrow. Women who conduct this movement ask for something tangible and something elevating, and you fob them off with a lodger or a household franchise, that not one of them would pay 2*s.* a-year to preserve. The Bill in reality only proposes to enfranchise spinsters and widows; and if a spinster or widow duly qualified obtains the franchise, when that spinster marries, and that widow re-marries, she would become a Helot. Does this Bill put women on a footing of equality with men? It does not. A man does not lose the franchise when he weds—some men come under petticoat government, but that is a different thing. Frequently men are qualified for the franchise through property brought them by their wives. By this Bill the woman will lose her vote on her marriage, and the husband will exercise the privilege without the knowledge of the woman, through the protection of secret Ballot. Therefore, there is no equality in the Bill at all. And why is this to be done? Simply because by the common law of the land a man and his wife are supposed to be one and indivisible —they are supposed to be one flesh and blood. Everyone knows that that is a legal fiction; but our lawyers are partial to fiction, and even when they propose to emancipate womankind, they have not the courage to sweep away the cobwebs of the common law. Small as the Bill is, and adjured as we are not to travel beyond the four corners of this small Bill, no two hon. Members look upon it in the same light. The right hon. Gentleman the Member for Halifax (Mr. Stansfeld), whom I do not see now in his place, asked us last year not to oppose the Bill, because it was so small a measure and so excellent a measure, and because it was the logical corollary of the Bill of 1867; but my hon. Friend the Member for North Warwickshire says it is a huge Bill of reform which is calculated in a short period to bring us to universal suffrage. A Bill of this tendency the hon. Member thinks ought to be in the hands of a responsible Government, and not in those of a private Member, and I quite agree with that view of the question. Then the sponsor for this measure, the hon. and learned Member for Marylebone, says that the Bill was framed especially to exclude married women from the franchise, and he stakes his professional reputation that the Bill as now drawn will have that effect. But what did the hon. and learned Member for Taunton (Sir Henry James) tell us last year? He said that under the Bill, as it is now worded, any married woman having property settled on her for her separate use would be entitled to vote in a county; and that a married woman, if separated from her husband by a legal decree, or by mutual arrangement, would be entitled to vote in a town or borough, if qualified as a ratepayer or a lodger. The hon. and learned Member for Marylebone defends his own Bill. He says that it is the quintessence of sense, and therefore he adheres to it; but if the House thinks it necessary to frame a provision to exclude married women from the suffrage, he will allow it to be inserted. But if the Bill is amended in that way, it will not commend itself to my judgment, because I think if a Bill is to be passed at all, we ought to go the whole animal. I think the married women should as a rule be enfranchised, because they are partners for life, with their husbands, in their property. The husband, upon his marriage, promises to endow his wife with all his worldly goods, and they both become partners for life in one concern. Surely then, a married woman would be much more fitted to give a vote for the good of the common weal than her daughters or nieces, because spinsters, and I submit that such a distinction would be absurd, and could not be maintained. Last year, in his peroration, the hon. and learned Member for Marylebone indulged in some sad vaticinations. He said he did not anticipate the immediate outbreak of a social war, but he seemed to feel that if this Bill was rejected, a great convulsion would befall the country. Well, the Bill was rejected, and on Thursday, the 8th of April, I walked into the City to see if any great catastrophe was approaching. To my astonishment and surprise I found people pursuing their business avocations as usual, there was no panic on the Stock Exchange. Returning to the West End, I found ex-Ministers of State practising on the bycicle, I saw ladies amusing themselves in skating rinks; and in the evening, young girls laughing and chatting, dancing and singing, as if nothing wonderful had occurred. Very shortly afterwards, the strong-minded women, who were dejected at the rejection of the Bill, gathered strength and arranged to hold an indignation meeting in London, in order to show Parliament the absurdity of its conduct. The meeting was arranged to come off on Saturday, the 29th of May, and it came off. The hon. and learned Member for Marylebone absented himself from that meeting, probably because he thought the convulsion which he had predicted was about to take place, but no convulsion did take place; there was hardly a riot, one man only, a Captain Jones, was hooted down. It seems that the ladies engaged a newspaper to chronicle their proceedings—*The Observer*—which gave a verbatim report of their meeting on the 30th. From that journal I learn that there were present on the platform as leaders of this new sedition, Miss Lydia Becker, Miss Babb, Miss Biggs, Mrs. F. W. Hoggan, Miss Mary Beedy, M.A., who hails from America, Miss Rhoda Garrett, Mrs. M'Laren, of Edinburgh, and Miss Isabella Tod, of Belfast. Now I do not doubt that all these are very respectable, highly reputable people; but when we are told that the country is not unlikely to be convulsed by this question, I did expect to see ladies of greater social eminence than these heading the movement. Ladies of fortune and distinction, who have made their names famous for works of benevolence and charity in this country, on that occasion at all events, were conspicuous by their absence. I shall not inflict upon or weary the House by reading any of the sayings and doings of the ladies at that meeting. The arguments which they used were fair specimens of that rhetoric which the learned called rigmarole. Every woman on the platform who spoke praised this little bantling of a Bill. It was perfection in their eyes, and they declared that anyone who looked beyond its four corners was a dolt and an idiot. Having so expressed themselves, they at once rushed into gushing ecstacies as to the rights of women and the equality of the sexes. One woman cited the example of Her Majesty the Queen. She was described as a woman who with very slight tuition had made herself competent to perform all the duties connected with her situation—duties of the most onerous character, and ever increasing in intensity. It was asked if there was anything in the blood Royal or anything in the purple which did not appertain to the people at large; and the logical inference from this argument was, that a woman out of the gutter should be entitled to hold any political office in the State if she was qualified to do so. A lady from the northern part of the kingdom spoke for one hour upon the pure and simple right of women to be put upon an exact political equality with men. She demanded that that should be the case, and said that the women were determined to have it, and she gave her reasons why they should have it. She said the sex, of which she is no doubt an ornament, having an innate sense of all that was womanly, and an innate detestation of all that was mean and base, was determined to stamp out some recent legislation which was an indignity on the womanhood of Great Britain. We all know the legislation at which this sarcasm was levelled. It was levelled at a subject which the coarsest men would rather discuss with closed than with open doors; but strong-minded women revel in matters of this description—matters not to be mentioned in decent society or within the hearing of a modest woman. Under these circumstances it is not wonderful that women of culture, and women of gentleness keep aloof from these heroines of the platform. They do so, we know, and they sometimes allow their sentiments to be known through the Press. A day or two after the Bill last year received its quietus in this House, I received a letter which I now have in my hand, from a gentleman of some reputation in the literary world, Mr. Samuel Carter Hall. That gentleman has written and published a memoir of seven or eight remarkable women, and his wife, Mrs. Hall, has added recently a short chapter to that memoir, that chapter mainly dealing with the Bill which is the outcome of this agitation. Mrs. Hall expresses herself in the strongest terms against the Bill. She speaks of the parties who have got it up as foolish brawlers. She speaks of the deep regret and intense sorrow with which she sees the progress of the movement, and says that it may in the end be dangerous to society and perilous to the sex itself. In consequence she begs the Legislature of the country to reject the claims of these women, because she thinks they are opposed to wisdom and mercy and religion. Mrs. Hall declares that it is no part of the business of a woman to compete with men in the various out-door avocations of life. She says it always has been, and ever should be, the controlling impulse of woman to make herself agreeable to man, whether by beauty, gentleness, forethought, domestic cares, home virtues, toil, assistance in hours of ease, or amid the anxieties, disappointments, and labours that environ life. She says it will ever be so, notwithstanding the opinion of strong-minded women, who describe as humiliation that which is woman's glory, and should be her boast. Mrs. Hall concludes, and I will conclude also by stating that—

> "Woman as she is now situated in this country has immense power. The hand," she says, "that rocks the cradle rules the world;" and she adds that, "wicked are some and foolish are all who strive for the enactment of laws which would deprive a mother of her first and greatest and holiest rights in order to try a wild experiment by which, under the senseless cry of equality, women would be displaced from the position in which God has placed them from the beginning of the world, for all time, and for eternity."

Now, these are the words of, I think, a woman of culture and gentleness, but we never hear sentiments of that kind coming from the Beedys and the Beckers of this worthless agitation.

Mr. FAWCETT: It is a matter of regret to me to have to reply to such a speech as that we have just heard; but I am sure that the House, which is always generous to a losing case, will allow me to say a few words. I think that many hon. Members will rejoice in one thing that I am about to say, and that is that I shall not condescend to make any lengthened reply to the speech we have just listened to. The course which the hon. Member has adopted is a very unusual one, and I will do the opponents of the Bill the justice of assuming that it is equally distasteful to them as it is to the supporters of the measure—namely, that of reading out a list of names of some ladies who attended a certain meeting. Among those names was that of the sister of one of the most distinguished Members of this House. I refer to the sister of the right hon. Gentleman the Member for Birmingham (Mr. John Bright), and the wife of another highly-respected Gentleman, the hon. Member for Edinburgh (Mr. M'Laren). The hon. Member had the effrontery to take a course without a precedent in this House, and to say that these ladies and others of equal taste and refinement revelled in prurient matters. Now, I wish in the most distinct manner possible to tell the hon. Member for Cambridge that he never committed a greater mistake. I have resided for 20 years of my life in the borough which he represents. I am, or shall be within a few weeks of this time, one of his constituents. I know many men in that constituency who are utterly and entirely opposed to me in politics; but although they are opposed to me, I know their tastes and sentiments sufficiently well to assure the hon. Member for Cambridge that, although they may differ from me in politics, they will never forget or forgive the speech which he has made in this House this afternoon. He shall not with impunity cast these vile aspersions on the wives and sisters and relations of hon. Members of this House—ladies against whose character there has never been a word of suspicion, and ladies of whose friendship any man, who knows them, on whatever side of the House he may sit, must feel proud! And now, with this remark, let me only make this further reply to the hon. Member for Cambridge, and then for the present I have done with him. He says the ladies who take an interest in this question do not represent the sense and the intelligence of the women of this country. I am not going to do the women of this country the injustice to suppose that the hon. Member for Cambridge is the representative of their sense and intelligence or, let me add, of the good taste of the women of the country. He says his speech has been objected to. Now neither his arguments nor his speech have been objected to. But what was felt, and not simply felt by those who are in favour of the Bill, but by others—we who are in favour of it do not object to arguments which are not insulting to persons—was, that the tone of the speech of the hon. Member was most objectionable. The speech which he has delivered to-day will, I have no doubt, be similarly objected to. I will now pass on, as briefly as I possibly can, to consider some of the arguments which have been advanced by hon. Members against the Bill. It seems to me, as has been previously said, that the Bill has not been argued against, but that the only thing which has been argued against is something that the Bill is supposed to portend, and which, in my opinion, is not likely to happen. Let me take the speech of the hon. Gentleman the Member for Huddersfield (Mr. Leatham). What does that speech amount to? The hon. Member's most effective point was the quotation of a wild rhapsody from some American lady. When he makes his next speech for the extension of household suffrage to agricultural labourers, would not he think me unfair if I came down to the House and said—"What does this proposal for household suffrage mean?—if it is carried, one-half of the male population will remain without the franchise," and if I were to terrify the House by quoting some wild declaration made by some person, for instance, M. Victor Hugo, in favour of manhood suffrage? He would at once say that that argument was unfair, and that it was unfair not to discuss the Bill before the House, but to go abroad and discuss something which we have no right to say the Bill portends, and which it must inevitably lead to. There never has been a Bill brought forward in this House for the extension of the suffrage, that has not always been met in this way by its opponents. The £10 franchise was objected to because it would lead to household suffrage. Household suffrage was opposed because it would lead to universal suffrage, and just in the same way because we propose that sex should not be a disqualification to the franchise, the same argument is used, that it would inevitably lead to the enfranchisement of married women. Now, I think it is of great importance that this question should not be discussed upon any abstract principles, and, for my part, I will say nothing of the political rights of women, their political equality, or make any comparison between their intellectual power and that of men. My purpose is a much more simple and a much more practical one, and I put this simple and serious question to the House—"When the municipal franchise was carried for women, why was it carried?" It was carried because it was thought unfair that if women were ratepayers and possessed the qualifications for the exercise of a vote that they should be excluded simply because they were women. The educational franchise was also suggested, not because men and women were educationally equal, but because it was felt that it was unfair to say that women who were ratepayers should not exercise the same privileges as men. It is said that the granting of the political franchise to women who were ratepayers would inevitably lead to the enfranchisement of married women. I do not know why it is not in a similar way said that the granting of the educational and municipal franchise to women would lead to the conferring of it upon married women. The municipal franchise has been in existence for years. No one has ever proposed to repeal it, and not a single word has ever been said in favour of extending it to married women. I altogether deny what the hon. Member for Huddersfield said, that that Bill was slipped through the House. I remember the occasion on which it was brought forward. It was very carefully discussed, not only here, but in the House of Lords, and it was ably defended by Lord Cairns, and on the distinct ground that it was unfair to deprive a woman who was a ratepayer of the right to exercise the same power which was exercised by a ratepayer who was a man. Lord Cairns was not in the least degree affected by the argument that if Parliament enfranchised women who were not married, they would have to enfranchise those women who happened to be married. He simply dealt with the question as it presented itself in a practical form, and that is the only way in which the Bill ought to be dealt with on the present occasion. If it is unjust to deprive a woman who is a ratepayer of the municipal franchise, how can it be right to deprive a woman who is a payer of taxes and who possesses every other qualification of the right to exercise political power? The argument which produced the most effect was this, if you admit women to the franchise you must admit women to seats in this House. Now the franchise has been extended over and over again to people who cannot be admitted into this House. Even in the last Parliament it was extended to people in the Civil Service. No one can suppose that they can ever be admitted to seats in this House, even if they were elected. I may take a stronger case, the case of the clergy. Not only are they represented but they are exceptionally represented, because not only do they exercise as electors great political influence in the places in which they may happen to reside, but so anxious does the House seem to be to represent that class, who be it remembered cannot hold a seat in this House, that we have actually allocated four Members to the clergy, for the Members for the Universities of England are as much the Representatives of the clergy as Members elected by the Inns of Court would be the Representatives of the legal profession. Everyone knows that if the clergy of the Universities wish a particular man to be their Representative they are certain to secure him; and if the clergy went against a man that man knew that he had no chance of a seat in this House; and if the clergy bring forward a man and support him that man knows perfectly well that the clergy would be sure to secure his election, whatever laymen might say to the contrary. We have here two parallel cases, that of the clergy and that of the voters in the Civil Service, to show that it is perfectly possible for a class to enjoy the political franchise without having any right or any permission given them to obtain seats in this House. But then there is the practical question—what good will women get from being enfranchised? Now it seems to me that this really raises the question—what is the good of representative institutions at all? If the interests of a class can be looked after by a delegacy, why should any class—why should the working men, the farmers, the shipowners, or any other section of the community, be represented? Why should not you leave it to the general sense of justice and good faith? But I remember what again and again has been said in this House on this subject. I remember the words spoken with the great experience of my right hon. Friend the Member for Bradford (Mr. Forster) last year, when he made that memorable speech in the defence of the extension of the franchise to agricultural labourers. He said—

> "That experience had convinced him that the interests of a class were never certain to be attended to unless that class were distinctly represented, and had the chance of exercising political power."

The experience of this House represents what is far better than theory; and, if the House will bear with me for one or two minutes, I will from a great number of examples select one or two in which it seems to me that it is not only of the first importance to women themselves, but it is of the first importance to the country at large that they should have the chance of being represented in this House. Every one admits the importance now of giving to women the best education that they possibly can enjoy. If this is the case, should not the women of this country have some power in deciding to what extent the vast educational endowments possessed by this country should be devoted to the education of women. Then, again, in this House we constantly have industrial legislation protecting women. Not long ago we discussed a Bill for limiting the hours of labour of women; and in the course of that discussion the influence and feelings of women were again and again referred to. When you have to appeal to the opinions, the wishes, and the sentiments of a class to influence your legislation, the only direct, and the only certain, and the most constitutional appeal is the appeal to the influence they exercise upon that question. There is only one other question to which I will refer. I know that the argument is not advanced even in this House; but I believe there is a consideration which has indirectly produced a great impression amongst men who hold the same political opinions as I do with regard to this question. I know that many persons who consider themselves extreme Liberals, and who look forward to the day when the Church will be disestablished, dislike the enfranchisement of women because they believe that the majority of the women who will be enfranchised would support the continuance of the Church as a State institution. Now, I am as much in favour of disestablishment as any man in this House; but I am not going to be so presumptuous as to say what will be the effect of the vote of women in England, if they were enfranchised, on this question. But this I do feel, that if I could know beforehand, anxious as I am for disestablishment, that out of every five women who would be enfranchised four would vote on this question diametrically opposite to the opinions I hold, it would all the more convince me that it was not only unwise, but I would say unjust to attempt to disestablish the Church. If the women of England are opposed to it, their opinions ought to be considered, for surely their spiritual welfare and their spiritual concerns are quite as important as those of the men in this House. And now a great deal has been said in this House about the feeling of the women of England on this question. I am not going to presume to speak on behalf of the women of England. I know that many women are opposed to this Bill. But I also know that many thousands of women, whose opinions are well entitled to consideration and respect, eagerly look forward to it. Women look forward to it with the best and most proper of all motives. Women who are actuated by no desire to leave their homes, women who are second to none in their interest and devotion to their children, these women look forward to the passing of this Bill not from any selfish or improper motives, not from any love of display, but because they think it will improve the welfare of the class to which they belong, and add to the general welfare of the country. But in these debates, and in other debates, there is a matter raised against which a word of protest ought to be uttered. I have been told by those who respect the Constitution of this country, that there is no more sacred right than the right of Petition. But no sooner now does any class exercise this ancient and this constitutional privilege, than contempt and ridicule are thrown upon it. If they do not petition, it is said—"Oh, they don't care anything about it." Now supposing not a single woman had petitioned, what would have been said about the proposal? What has been said about the Royal Titles Bill? "There has been no feeling against this Bill," because they said—"There have been few Petitions presented against it." Directly the women who are interested in this subject petition, they are ridiculed. Not the slightest doubt has been thrown upon any of those Petitions. These Petitions are somewhat different from those Protestant emanations which have been presented by the hon. Gentleman the Member for North Warwickshire (Mr. Newdegate). Everyone of these Petitions is genuine. Ten times more Petitions have been presented in favour of this Bill this Session than in favour of or against any other proposal in this House, and why should the hon. Gentleman—forgetting apparently his notable Protestant Petitions—attempt to throw ridicule upon them? [Mr. NEWDEGATE said, he must deny having spoken a word in disrespect of the Petitions presented in favour of the Bill.] The hon. Member for Cambridge (Mr. Smollett), and the hon. Member for Huddersfield (Mr. Leatham), and I think every single person who has opposed this Bill, has referred to these Petitions, and attempted to cast doubt and ridicule upon them; and I think I am right in saying that the genuineness of not one of these Petitions has been disproved, and it ill becomes hon. Members to discourage or speak in a disapproving tone of this constitutional way of people outside expressing their wishes. And now, in conclusion, I have only one further remark to make. A month ago I listened to a speech—a speech such as we only hear from one hon. Member in this House. It was a speech by my right hon. Friend the Member for Birmingham (Mr. John Bright), who eloquently pleaded for the enfranchisement of Irish householders—"even though the householder live in a house rated at only £1 per year." I looked over that speech last night; and as I heard it, and as I read it again, I thought to myself—"I wish the Forms of this House would allow me to repeat that speech, substituting in every sentence where the words 'Irish householders' appear the words 'women householders;'" for it would be an infinitely more powerful argument in support of this Bill than anything I could say, or anything that is likely to be said in this House. But perhaps the right hon. Gentleman will allow me to again direct the attention of the House to some words with which he closed his memorable speech on that occasion. He said—

> "It remains to be true—though all the officials in the world think it worth while to call it in question—it remains to be true that justice done by the Government and Parliament to any portion of the population, be it most remote, be it the most abject, still that measure of justice is never lost. It is compensated to the power that grants it, be it Monarch or be it Parliament, by greater affection, greater and firmer allegiance to the law and by the growth of all those qualities and virtues by which a great and durable nation is distinguished."

Well, with these few remarks I will conclude what I have to say in favour of this Bill. I can add nothing to what my right hon. Friend has said, and I will only say this much—that I believe whenever you enfranchise a class, the first result of that enfranchisement is to make those who are enfranchised take a keener and a deeper interest in all that concerns the public affairs of the country. It does not draw them from their homes, it does not draw them from their shops, it does not draw them from their daily labour; but I believe that all experience will show that those who are the best workmen, those who are the best traders, and those who are the best merchants are those who are the best citizens; and I believe this will hold equally true when that day shall arrive when women who are ratepayers shall be enfranchised.

MR. CHAPLIN: I cannot help feeling that I owe an apology to the House for again stating my opinion on this subject, after having made a speech on this question last Session. But this is a matter on which I hold so strong an opinion that I can scarcely refrain from asking to be permitted to make few remarks. Now I have carefully listened to the whole of the speeches which have been made in the course of this debate, but so far I agree with the noble Lord the Member for South Wiltshire (Viscount Folkestone), who moved the rejection of the Bill, with an able, manly, and straightforward speech, as to confess that I am not aware that a single new reason has been adduced, or one single new argument used in support of this measure which has not already been used and been answered before. Nor is this much to be wondered at when we remember how fully and how often this question has been the subject of repeated debates in this House; and I trust that I shall be excused entering again into the details of this much-vexed question, which have been so frequently discussed in this House before. Now, we have been often told, and the hon. and learned Member for Marylebone (Mr. Forsyth) has again spoken of the necessity which has arisen for this legislation, owing to the gross inequalities in the laws as between the men and the women; and he has cited numerous instances to show how hardly some of them press upon women. My hon. and learned Friend has referred to the marriage laws, the laws of settlement, the laws relating to married women, their property, and to the position of the children, and he has also called attention to the grievous and unfair burden of taxes which are placed upon women, and he concluded by pointing out some of the hardships of women in connection with painting, and he stated that women were not allowed to use a rest for their arms, while men enjoyed that privilege. So far as the last of these allegations is concerned, it struck me that this was rather an argument against the tyranny of trades unions, than an argument in favour of women's suffrage. But with regard to the rest, when the hon. and learned Gentleman referred to it as being owing entirely to their not being represented in this House, I deny that statement entirely, and I believe that a charge more unfounded has never been made—and out of his own mouth I will convict him. On whose behalf have these numerous and excellent speeches been made to-night? Why, the speech of the hon. and learned Gentleman himself, and the hon. Member for Manchester (Mr. Jacob Bright), and the hon. Gentleman who has just sat down (Mr. Fawcett), are still ringing in my ears, and the eloquent words and the language from these hon. Gentlemen show that they were unconsciously representing the strongest possible and the most complete refutation of their own case by those speeches which they so ably delivered in support of the rights of a sex, and a cause which has found such devoted and enthusiastic supporters. But if statements like these are in reality true; if our laws in reality press so hardly upon them; if women really suffer injustice in so many cases as is alleged, how is it that the vast majority of them are silent upon it? and what has my hon. and learned Friend been about all this time? How is it that he has done so little or nothing to deal with, or even attempt to remove them? I will guarantee that, if his assertions are accurate, and he will himself undertake to deal with the various causes of grievance of which he complains, he will meet with the hearty support of many of those who, like myself, are his determined opponents to-night. But apart altogether from the necessity for this legislation, our attention has been directed again to some other claims, which, it is said, women possess to the franchise. We are reminded that women pay rates, that they already enjoy the municipal vote, that they may be elected as Guardians and Overseers of the Poor, that they already vote for and sit upon school boards, that there are Peeresses in their own rights, and further, my hon. and learned Friend has told us to-night, that women are often farmers, graziers, and shopkeepers besides. Now, with regard to what has been said by the hon. and learned

Member of women being farmers, or rather of their being turned out of their farms because landlords desired the votes of men, I must say that the hon. and learned Member's experience is the reverse of my own; and even if it was the case in former days the necessity for such conduct — which I can term as nothing but harsh—has been removed altogether by the Ballot; but with regard to the rest of the arguments which I have named, I am prepared at once to admit that so far as theory goes they are conclusive in favour of your proposal, and I am aware of no valid reason which can be adduced upon these grounds why women should not have votes in the same way as men. But then, happily, in this country we are not governed by theory; and if this question is to be treated no longer as simply a matter of ridicule—a species of treatment with which it almost universally, and not altogether unnaturally, met with, as I think, in the first instance, and we are to discuss it in earnest; we are bound to consider, with all the attention in our power, the various practical difficulties with which we are confronted the moment we really propose to confer the franchise on women. One of the very first, and by no means the least, of these questions is, do you intend, under your Bill, that women possessing the requisite property qualification shall be put on an equal political footing with men; or do you intend under your Bill that some disabilities shall still rest upon women, although its object professedly is to remove them? If their political footing is to be one of perfect equality, then I can quite understand your position, because it is a consistent position, although I must say I think that you will not obtain much support for your views; but, on the other hand, if there is still to be some distinction between them, then I must ask you what is to be that distinction? How and where are you going to make it? And when you have made it, after giving them votes and placing all the power of a minority—a power of which we have frequently witnessed the influence — in their own hands, how are you going to keep it? Why, how often have we been told by our opponents that we have no right to draw the line where we do now, and to say as we do to women already possessing these numerous qualifications, it is true that you pay rates, it is true that you have the municipal vote, and that you already do this that and the other; but nevertheless there is the line of distinction—"thus far shalt thou go and no further." If that argument was good for anything now, or good for anything then, surely it would apply as strongly as ever and with still greater force when you have made these greater concessions, because by that very fact you will have admitted its force and validity now, and if that be so you cannot deny that we are brought at once face to face with the question, not only of the admission of women to the franchise, but to Parliament also. Again, let me ask what will be the position of married women under this Bill? Either you give a vote to married women or you do not. If you do, one of two things will happen. Either the vote will be simply a duplicate vote for the husband, or it will be an element of perpetual family discord, the last thing which I suppose you wish to arise. But if you do not, your position is infinitely worse. You will be going to give to the mistress—it is painful to say this, but the fault rests with those who introduced the measure—that which you will not confer on the wife; and to make that which you describe as a boon and as a privilege which all women wish to enjoy so far as the virtuous mothers and wives are concerned, a premium not upon virtue but upon vice. Talk of anomalies in the law as it exists now, but what, Sir, are they to be compared with the new and monstrous anomalies which you are going to create by the Bill? I wish for a moment to call the attention of the House to a matter which I do not remember that I have heard mentioned before. There is one class of women who appear to be overlooked altogether under this Bill. What will be the position of Peeresses in their own rights, if this Bill becomes law? Clearly they cannot have votes, because you can scarcely confer upon them that which you withhold from the Peers. How then are they to be represented? There is only one other mode of which I am aware—namely, that they should sit in that House themselves, and so far as they are concerned, you appear to me to be placed in this dilemma, that either you must acknowledge this principle as part of the Bill—

"That it is fitting and right that women themselves should be Members of Parliament;" or you will exclude from the pale of your legislation those women who of all others I should have thought, if any, ought to enjoy it. These are some of the practical difficulties which occur to my mind in connection with this question, and I am anxious that the House should seriously consider them, because both in and out of this House, although they have been raised before, they have never been met, but have always been evaded by our opponents. The hon. Member for Hackney (Mr. Fawcett) has referred to the disabilities of clergymen and civil servants; and went on to say that they nevertheless had influence in the election of Members of Parliament. But the hon. Gentleman's parallel is not correct. Clergymen are not prevented from sitting in Parliament because they are men, it is because of the office that they hold; while women are prevented from voting simply because they are women. The idea is not so ridiculous as some people imagine. To my mind it will not be so difficult to imagine a state of things as having women sitting in Parliament. You have at once a woman party and women questions in every constituency; a candidate then must have women sitting on his committee and acting as agents; and in the case of a closely-contested election, in order to conciliate the women party, the candidate would be accompanied to the hustings by a woman, who would deliver a fervid oration on the rights of women and dilate on the wickedness of men in general. And so the distinction and the difference by these means would become small by degrees and beautifully less. We live, however, in the days of progress; and there is one man, at all events, in this House, whose views have advanced in this direction. The hon. Member for Birmingham (Mr. Dixon), who has the courage of his opinions and the manliness to avow them, in a speech which he delivered at one of the meetings in support of female suffrage, stated that "he saw no reason why women should not be admitted into this House." I am not going to discuss the wisdom or policy of that proposal. It would be waste of time to do so, because I am convinced that it would be met by an overwhelming majority. But I agree with him so far, that sooner or later, if this Bill were to become law, that is what we shall come to. Before sitting down I would just ask by whom is this Bill asked for? Do not tell me that the women of England or anything like a majority of them are in favour of this Bill, or really desire it. You may depend upon this, that wherever the women, or a majority of the women, desire it, that no power on earth will prevent their obtaining it. This movement is the result of agitation which has become so common in these days, and which is carefully fostered by all the various paraphernalia used upon these occasions. They have a journal and a secretary, funds, and and an organized association. But I say that, in spite of it all, it is a sham and an unreal agitation, manufactured to order, and which may easily be traced to nothing but a bustling clique of masculine women and feminine men, who have devoted their energies to the support of this cause. We were told a few nights ago, on a remarkable occasion, that the opinion of the country may be gathered from the letter bag. Well, since I moved the rejection of this measure last year, I have been favoured with letters from ladies totally unknown to me, entreating me to do everything to cause the rejection of this measure; and it is because I firmly believe it is not in the interests of women, but that if we pass this measure at the call of a reckless sisterhood we shall be inflicting injury upon them in after times, that I call upon the House of Commons to reject, by an overwhelming majority, this mischievous and idle measure.

SIR ROBERT ANSTRUTHER: Mr. Speaker, for one reason I am perfectly glad to follow one whose speech, as might well be expected from him, was free from the gross coarseness of the hon. Gentleman who represents Cambridge (Mr. Smollett), and also free from the bad taste which characterized a speech made in the early part of this afternoon by the hon. Member for Huddersfield (Mr. Leatham). I can have no fault to find with the way in which my hon. Friend has handled his subject. But I observed at the outset he stated that many of the arguments in support of this Bill had been repeated many times, and that he did not intend to meet them with arguments in reply. Now I think my hon. Friend showed great wisdom, because had he attempted to meet the argument I can have little doubt that he would failed. He adopted the *tu quoque* argument, and left the matter very much as he found it. My hon. Friend repeated all these hobgoblin arguments, which I have also heard from a distinguished man, the noble Lord the Member for South Wilts (Viscount Folkestone), and who, considering that he made his maiden speech, has every prospect of developing into a most accomplished debater. It is the evils they do not see which they are trying to frighten us with. It is like the German fairy tale of the girl who went down into the cellar to draw beer for the lover, and she never came back; and the mother went to the cellar, and she never came back; and the father was sent to the cellar, and he never came back; and at last the lover, either anxious for his sweetheart or his beer, went to look for them. He found them all in tears. The girl said that after the tap of the beer barrel was drawn a beam ran across the beer cellar; and she thought that after she was married she might have a son, and that son might grow up to manhood, and that man might draw beer and that beam might come upon his head and kill him, and she was so overwhelmed and had so affected her father and mother with the story that the lover found them in the condition named, and the beer barrel was empty. These are the sort of fears which come over hon. Gentlemen opposite. I prefer to look to one or two arguments against the Bill rather than to those hobgoblin fears of hon. Gentlemen on the other side of the House. A great many of the arguments in opposition have been addressed to proposals not within the four corners of the Bill. For instance, the hon. Member for Huddersfield (Mr. Leatham) complained of that, because it only enfranchises a certain number of the women of England; but would he have liked it better, if it had enfranchised the whole of the women in England? A great deal of his speech would have applied equally well for women or manhood suffrage. Whether he intended it to have that effect I know not, but when he came to the proposal in the Bill he used entirely different language. He used language which I venture to think was far more strongly in favour of the second reading than the conclusion which he intended to arrive at. Speaking of the educational franchise, in the Act of 1872, my hon. Friend said everybody agreed to give the vote to women for members to sit upon the school boards, because there was nothing unfeminine in voting for school boards, in which every woman or girl was interested. Surely that is an argument in favour of conferring it upon women to vote for Members of this House. The House of Commons has to deal with many things in which women are specially interested. It has to superintend the education of girls; it has to do with the Factory Acts for the matters in which women are greatly interested; and if my hon. Friend's argument was good for anything at all, it was distinctly in favour of the second reading of the Bill, rather than against it. If there was nothing unfeminine, and no fear of those dreadful evils anticipated, and none of those evils which we were told were about to arise in this case since the women have had the educational franchise, why are women not allowed to become Members of Parliament? It seems to me that no case has been made out at all against the Bill. If the fact of the women taking an interest in these school matters be not only of benefit to themselves, but a great benefit to the community, why should not the same thing follow from their having the Parliamentary franchise? I confess that I am entirely unable to see how it can be otherwise. Then, we have heard a great deal about the married women question, and he complains that the Bill does not alter their position. But this Bill does not create those anomalies. The distinctions between married and unmarried women are made by the law of England. This Bill does not propose to touch the law of England. It simply proposes to say that where a woman is otherwise qualified by the possession of property or the payment of rates, she shall not, because she is a woman, be debarred from the exercise of the franchise. And therefore my hon. Friend cannot fall upon that, because the distinctions are not in the Bill, but made by the law. But he said that the women of England do not desire it. He will not dispute that some women desire it—some most admirable and intellectual women in England desire it. I do not mean to say that every woman who desires to have it will exercise it if she had it, but is that an argument against conferring it upon those who really do desire to exercise it? The result would be that you enfranchise those women who are holders of property, who would be enfranchised were they men. If they do not choose to exercise it they can stay at home; but those women who think that they can by the exercise of the franchise do good, should have the opportunity of exercising it. Where is the evil of enfranchising a certain number of people who do not intend to exercise the right? Only take the case of your men who do not exercise the franchise. Is that an argument for withdrawing the franchise from those who do exercise it? You refuse to allow an educated woman, possessed of property, to have the franchise, while her servant, or her gardener, or blacksmith, or any of her dependents can exercise it, irrespective of any special qualification. Take the case before the Committee on the Ballot Act the other day. There the illiterate man, not the man who cannot sign his name, but the man who is so ignorant that he cannot tell into which square to put a cross, is allowed to vote; and are you going to refuse ladies of education and intelligence the franchise altogether upon the ground that they are not capable of exercising it for the welfare of the country? Then as to the revolutionary argument, so far from its being revolutionary, it strikes me that it is a Conservative measure. I wonder why every man on the other side does not vote for its second reading, and more than that, why Her Majesty's Government has not long ago taken the matter up with the view of passing the Bill, for I believe that it is as sound, and as wise, and as constitutional, and as Conservative a measure as can possibly be introduced into this House. I shall certainly most heartily support this measure.

Mr. E. HUBBARD: I should not intrude my short experience, had it not been that I am in the position of the hon. Gentleman the Member for Huddersfield (Mr. Leatham), in having had to present a Petition of my constituents on this Bill. If the House will bear with me for a short time, I will try to explain how the wishes of an agricultural constituency are mis-expressed by the Women's Suffrage Committee. The Petition that I present to the House reads thus—

> "The exclusion of women in being disqualified for voting in the election of Members of Parliament is injurious and contrary to the principles of justice and of the laws now in force regulating the municipal, parochial, and of other representative governments."

This is supplied wholesale by the Women's Municipal Suffrage Society. These women did us the honour of trying to hold a meeting in the borough of Buckingham. I have tried by personal conversation with many good and charitable ladies who have signed the Petition which I have presented to the House to arrive at their real wishes in this matter. They say that they desire that spinsters who have property shall be allowed to vote for Members of Parliament, as they have a right to vote for town councillors. They have an opinion that their influence on the school board secures their children being more virtuously brought up; and they argue that as they have a right to vote in municipal matters, they ought to vote for Members of this House. I think we may safely draw the line, and say that women may have a vote for town councillors, but they shall not have a vote for Members of Parliament. I have been told by one of the great speakers of the Women's Suffrage Society, that women have an equal interest with men in electing Members of Parliament who will vote for making men more sober and saving, and give them husbands and brothers who will make their homes more happy. I think the women of England can safely trust the Members of this House to try to pass such measures as shall make men more sober and saving, and so make virtue come easier to the homes of our poor people, even though women do not vote for Members of this House. It has been said that Members of Parliament do not sufficiently appreciate their wants and wishes, and that women are unrepresented here. In that case let them in every constituency request its Members to promote and support those social measures in which they are peculiarly interested, and I venture to say that not a single Member on either side of the House but will readily pass any such measure as may tend to make their homes more happy; but I hope it will be found, by a large majority, that we cannot give up the old Constitution of England, which has done so much to contribute to the greatness of this country, to try an experiment by giving votes to women to elect Members of Parliament.

SIR CHARLES LEGARD: Mr. Speaker; Sir, the energy and the eloquence with which this debate has been sustained cannot have failed to prove one most unmistakeable fact, and that is, that the Bill to remove the electoral disabilities of women is fast becoming, even if it has not already become, one of the leading questions of the day. It is a matter for rejoicing that, so far as the debate has gone, no women have been individualized as specially qualified to exercise the franchise. Surely, Sir, by mentioning a few names, even though they be the names of those who are an honour and an ornament to their country, is not the way for those to argue who, like myself, feebly endeavour to advocate and support their cause. Far otherwise; it is on the broad grounds of fairness and justice that I shall ask the House for a few minutes only to consider the proposal now before us. Sir, I listened with much interest and attention to the speech of my noble Friend who moved the rejection of this Bill, and I only regret he has not devoted his talented opposition to some other measure; but as he has not done so then I ask myself the question — why is it that the house of Bouverie always offer such an uncompromising opposition to this Bill? Why is it that they object so strongly to women having the power to vote. Sir, we have heard many objections raised on various grounds, but I have not heard any hon. Member say that women are not sufficiently educated; and I go farther, and say that there is no valid reason that I have heard to prevent them voting, except that they are simply "women." Then I say is this the reason, and the only reason, for hon. Gentlemen to oppose this Bill, because it is said that women are unfit to exercise this privilege because they are women; and not because if they were men they would be unfit, but they are unfit because they are women? Sir, it may be a fine lofty opinion to say women are not entitled to be enfranchised, but it is not an argument, and I can quite understand that no better reason than that has been advanced by any hon. Gentleman who has endeavoured to show that women, as women, are unfit to exercise the Parliamentary franchise. Sir, it is continually said that women have other duties to perform than to engage in hotly-contested political struggles; but in answer to that, may I ask why you have already given to women semi-political privileges? At the present moment they have a vote, and not an unimportant vote, in all parochial and municipal elections, and I have yet to be told that their conduct in those matters has not been most beneficial and of great advantage. And, Sir, if this be so, how can anyone say that you will be overstepping the bounds of the Constitution by giving a woman having property the power to vote for a Member of Parliament, any more than you are overstepping the bounds of the Constitution by allowing a woman to vote for a town councillor or a member of a school board? Sir, this being the case, is it fairness, is it equity, is it justice, that women holding a stake in the country, possessing property, but not possessing husbands, should be debarred from exercising the right which every Englishman who possesses it values dearly, and that is the right and the privilege of recording his vote for one Party in the State or the other? No, Sir, wonderful events indeed may happen in the 19th century, and questions of great doubt and difficulty may arise, but I have this confidence in my countrymen, that I will not believe when the question is put to them in reality, that they will deny to that portion of their fellow-subjects, and when those fellow-subjects are interested and intellectual fellow-beings, the rights and the privileges which they so highly value and possess.

MR. JOHN BRIGHT: Sir, I need hardly tell you that it is with extreme reluctance that I take part in this debate; but I am somewhat peculiarly circumstanced with regard to this question, and duty compels me, to make some observations. In the year 1867, when Mr. Stuart Mill first made a proposition like that contained in this Bill to the House, I was one of those who went with him into the Lobby. In his autobiography he refers to this fact, and he says that I was one of those who were opposed to the proposition being submitted to the House, but that the weight of argument in its favour was so great that I was obliged to go with him into the Lobby. I can very honestly say that he was entirely mistaken in that statement. Though I did vote with him I voted under extreme doubt, and far more from sympathy with him—for whom in many respects, and on many grounds, I had so great an admiration —than from sympathy with the proposition with which he was then identified, and at that time advocating. But if I had doubts then, I may say that those doubts have been only confirmed by the further consideration I have been able to give to this question. The Bill seems to be based on a proposition which is untenable, and which, I think, is contradicted by universal experience. In fact, it is a Bill based on an assumed hostility between the sexes. Now, I do not believe that any hon. Member in this House who is going to support this Bill entertains that view; but if hon. Members have been accustomed to read the speeches of the principal promoters of this Bill out-of-doors, and if they have had an opportunity, as I have had, on many occasions, of entering into friendly and familiar conversation on this question with those who support it I think they will be forced to the admission, that the Bill, as it is offered to us, and by those by whom and for whom it is offered to us, is a Bill based upon an assumed constant and irreconcilable hostility between the sexes. The men are represented as seeking to rule, even to the length of tyranny; and the women are represented as suffering injustice, even to the length or depth of slavery. These are words which are constantly made use of, both in the speeches and in the conversation of the women who are the chief promoters of this Bill. And this is not said of savage nations, or of savages—and there are some in civilized nations—but it is said of men in general, of men in this civilized and Christian country in which we live. What if we look over this country and its population would strike us more than anything else? It is this that at this moment there are millions of men at work sacrificing, giving up their leisure, their health, sustaining hardship, confronting it in every shape for the sake of the sustenance, the comfort, and the happiness of women and children. Yet it is of these men, of these millions, that language such as I have described is constantly made use, and made use of eminently by the chief promoters of this Bill. The object of the Bill is not the mere extension of the suffrage to 300,000 or 400,000 persons; its avowed object is to enable women in this country to defend themselves against the tyranny of a Parliament of men, and the facts that are brought forward are of the flimsiest character. There is the question of the property of married women. There may be injustice with regard to the laws that affect the property of married women; but is there no injustice in the laws which affect the property of men? Have younger sons no right to complain just as much as married women? If a man dies in the street worth £100,000 in land, and he leaves no will, what does the fiat of this House say? It says that the £100,000 in land shall all go to the eldest boy, because he happened to come first into the world, and that the rest of the family of the man shall be left to seek their fortunes as they like. Is there any greater injustice than that? But that is an injustice which Parliament inflicts upon men as well as women; and the fact of there being some special or particular injustice of which women may or have a right to complain—I am not asserting or denying it—is no argument, no sufficient argument, for the proposition which is now before the House. I have observed when the question of the property of married women has been before Parliament—I think it was brought forward by the right hon. and learned Gentleman the Member for Southampton (Mr. Russell Gurney)—that he was supported by several hon. and learned Gentlemen, lawyers of eminence in the House; and, so far as my recollection goes, the matter was discussed with great fairness, great good temper, great liberality, and changes were made which, to some extent, met the view of those who had proposed them. There can be no doubt then—I think no Member of the House on either side will doubt, or allow it to be said without contradicting it—that this House is not as fairly disposed to judge of all questions of that kind which affect women as it is qualified and willing to judge all questions of a similar or analogous character which affect men. If married women are wronged in any matter of this kind, surely we all know that many of our customs and laws in regard to property come down from ancient times, and from times when power was law, and when women had little power, and the possession and the defence of property was vested, and necessarily vested, almost altogether in men. But there is another side to this question. It seems almost unnecessary to quote it, but I would recommend some of those very people who blame Parliament in this matter to look at how much there is in favour of women in other directions. Take the question of punishment. There can be no doubt whatever that as regards that question there is much greater moderation, and I might say mercy, held out to women than there is to men. Take the greatest of all punishments for the greatest of all crimes. Since I have been in Parliament I think I could specify more than a score of instances in which the lives of women have been spared in cases where the lives of men would have been taken. It is a horror to me to have to speak in a civilized and Christian Assembly of the possibility of the lives of women being taken by the law, but the law orders it, and it is sometimes done; but whether it be from mercy in the Judge, or from mercy in the jury, or mercy in the Home Secretary, there can be no doubt whatsoever that the highest punishment known to the law is much more rarely inflicted upon women, and has been for the last 30 or 40 years, than upon men. Also in all cases of punishment, I say the Judges and juries are always more lenient in disposition to women than they are to men. I might also point out to some of those ladies who are very excited in this matter that in cases of breach of promise of marriage, the advantage on their side seems to be enormous. As far as I can judge from the reports of the cases in the papers, they almost always get a verdict, and very often, I am satisfied, where they ought not to get it. Beyond that, the penalty inflicted is very often, so far as I can judge, greatly in excess of what the case demands. Take the small case now of taxation. We know that the advocates of this measure deal with very little questions, showing for instance how badly women are treated by Parliament. Take the case of domestic women-servants, who are numerous; they are not taxed, men are. That is an advantage to the women as against the men. I do not say that it is any reason why you should not pass this Bill; but I am only saying that these little differences exist, and will exist; they exist in every country, and under every form of government, and in point of fact have nothing whatever to do with the real and great question before us. The argument which tells with many persons who sign the Petitions to this House is the argument of equal rights. They say, if a man lives in a house and votes, and a woman lives in another house, why should not she vote also? That is a very fair and a very plain question, and one not always quite easy to answer. It is said, there can be no harm to the country that women should vote, and I believe that is a thing which many of us, even those who oppose this Bill, may admit. It is not a question which depends upon a proposition of that kind. As to the actual right, I would say nothing about it. I suppose, however, the country has a right to determine how it will be governed—whether by one man, whether by few, or whether by many. The intelligence and the experience and the opinion of the country must decide where the power must rest, and upon whom the suffrage shall be conferred. The hon. and learned Gentleman opposite (Mr. Forsyth) told us that unless this Bill passed there would be a class injured and discontented, and reference has been made to the condition of the agricultural labourer. But I think there is no comparison between the two cases. If the landowners could only vote, the tenants would have a right to complain; and if the landowners and the tenants only voted, the labourer would have a right to complain. The landlord, no doubt, has interests different in many respects from the tenant, and the tenant and landlord different from the labourers; and if a whole class like the agricultural labourers, or like the agricultural tenants, were shut out, they would have a right to be discontented and to complain of the injustice or unwisdom of Parliament. So with regard to merchants, manufacturers, and their workpeople. But the great mistake is in arguing that women are a class. Why, the hon. and learned Gentleman the Member for Marylebone, who, being a lawyer of eminence and a great scholar, ought to be able to define rather more accurately, spoke more than once in the course of his speech of women as a class. Nothing can be more monstrous or absurd than such an appellation for women. Why, Sir, women, so to speak, are everywhere. Not in a class as agricultural labourers, or factory-workers. They are in your highest, your middle, your humblest ranks. They are our mothers, our wives, our sisters, and our daughters. They are as ourselves. We care as much for them sitting in this House as Members of Parliament and as legislators for the country as for ourselves, and they are as near our hearts here as in our homes and our families. I venture to say that it is a scandalous and an odious libel to say that women are a class, and that, therefore, they are excluded from our sympathy, and that Parliament can do no justice, or rather would do any injustice, in regard to them. If there be any fact which seems at any time to contradict this, I am sure it can arise only from the ignorance of Parliament; and that fair discussion such as we bring to bear upon all questions, will at no remote period, but at an early period, do all the justice which it is in the power of Parliament to do. So much then with regard to these political wrongs. I do not believe that the women of England suffer in the least from not having what is called direct representation in this House. Politically, I believe it would be no advantage if they were so represented. I dismiss altogether the question of what may be called political wrongs, and come to consider whether this Bill has in it more than that which you read in its clauses. Some one has said in the course of the debate that there would be about 380,000 or 400,000 voters added by its passing to the present constituencies—about 13 per cent. But the Bill, unfortunately for those who argue about political wrongs, excludes by far the greatest portion of women, and excludes those specially who, if there be any special qualification required for an elector, may be said to be especially qualified—that is the married women. They are older; they are, on the whole, generally more informed; they have greater interests at stake, and yet they are excluded. But, then, it is said by those outside, not by their Friends here—the right hon. Gentleman the Member for Halifax (Mr. Stansfeld) went so far as to deny what I am about to say altogether, in which I think he was inaccurate and very injudicious—it is said outside that this Bill is an instalment only, that it is but one step in the path of the redemption of woman. Now, if that be so, it is very odd that those most concerned in the Bill do not appear to be aware of it, because I find that last year, or the year before, there was a general dispute on this matter. The hon. and learned Member for Marylebone himself will acknowledge that he knows that he has only very partially the confidence of his clients. They go with him, or he goes with them, in a certain direction, and they know that at the next milestone, or at some point to be approached by this Bill, they are to part company, and instead of having to listen to half-an-hour's or three-quarters-of-an-hour's pleasant speech on behalf of his present clients, we shall have no doubt to listen to a speech of equal length to show that he has gone so far that nothing could be more perilous than an attempt to go any further. But last year I recollect reading in a newspaper which is supposed to represent the opinions in some degree of a Member of this House who warmly sympathizes with the cause of those who promote this Bill a letter which I will read, because it does not say much more than is generally held by the warmest supporters of the Bill. It says—

> "Married women cannot claim to vote as householders, but why should not they, as well as men, vote as lodgers? Since the law recognizes none but a direct payment for lodgings as conferring the franchise, why should not a married woman who desires it, and who possesess money independent of her husband, pay him for her lodging? Married women devoid of means could not make such an arrangement. But let us say, for argument's sake—suppose a wife's position is by English law established, the most abject possible for a human being short of absolute slavery; that she is a servant, differing from, and better than a slave, only inasmuch as her servitude is voluntarily assumed at her will, still, by the law, she retains the right to appraise her services, and to stipulate for her remuneration before she accepts a master, and that remuneration might enable her to constitute herself a lodger."

The lady who writes this—if it be a lady—then says—

> "If the money value falls short of the requirements of the franchise, it is just that she, like men similarly poor, should not possess a vote."

That is signed "A Married Claimant to the Franchise;" and I believe, though in broader terms, that it expresses very much the kind of extravagant desire there is—I admit on the part of a few women—that this Bill should pass, and that other Bills naturally and logically following it, should at some future time pass. Now, in discussing this question, I am much more anxious to lay before the House the doubts and difficulties that I feel, than to say anything very strong either against the measure or against those who propose it. But I should like to ask two or three questions. How, for example, if this Bill passes, you will contend against further claims? When I was accustomed, and Friends with me, to ask the House to extend the franchise to the householders to any point below the then existing franchise, there were those who argued in this way—"Well, but this will not settle the question; you will want more. Very likely you will go on to universal suffrage, or what is called manhood suffrage." But if we did go on to that, we introduced no new principle; we understood what votes were, and that the alteration effected no great change or social revolution of any kind. But when you come to this question of giving votes to women, although the claim may become irresistible at some time, although it may be wrong or right—I am not going to set my opinion against those who differ from me—Parliament ought to have the sense to try and understand where it is going, and what it is intending to do. If this Bill passes, what will be the question asked of this House by some hon. Members whom I need not name. They will say, very reasonably—"Shall marriage be a political disqualification? You have given a vote to all young women who are unmarried who occupy a house and have property, and to all old women who are widows who occupy a house and have property, what do you say to those who compose, it may be, nine-tenths of the whole, or a very large proportion, what do you say to them? They have votes until they marry, but the moment they come out of church or chapel, though they may bring fortunes to their husbands"—and the supporters of this Bill are very anxious that the property should be separate—"yet the moment the marriage takes place the lady's vote merges, and the husband becomes the elector." Having first granted this, that women shall vote, how can you answer any man who says—"Shall marriage disqualify, and if the unmarried vote, shall the married be disfranchised?" It seems to me that if you pass this Bill, and you go no further, what Mr. Mill called the subjection of women will be established, and you must agree upon every Bill which is intended to enfranchise them. Then I would ask another question. If all men, being electors and householders, have a right to be elected, if the constituency choose to elect them, upon what principle is it that women should not have a right to be elected? These are reasonable questions, and we who are asked to pass this Bill, but who oppose it and doubt its wisdom, have a right to ask these questions and to have answers to them. If we are to travel this path, let us know how far we are going, and to what it leads. I have always had a great sympathy with a wide suffrage, and have now, but still I want to know, if we are embarking on an entirely new career, what sort of weather we are to have, and what is the haven to which we are about to steer, if we grant that every woman, whether married or unmarried, shall have a vote? The hon. Member for Mid-Lincolnshire (Mr. Chaplin) referred to what would happen if this Bill were passed—namely, that in every house there would be a double vote. If the parties were agreed, it would make no difference at an election. If they were not agreed, it had been suggested that you might introduce discord into every family, if not between man and wife, certainly between the parents and children, the brothers, as had been said, taking the part of their mother, and the sisters that of their father. In any case, you would have discord in the house, and an amount of social evil which surely the friends of this measure do not contemplate, and which cannot arise under the present system. Now, we in this House have one peculiar knowledge—that is, of the penalties which we pay for our constitutional freedom. There are many hon. Gentlemen in this House who cannot look back upon their electioneering experience without feelings of regret, and I am afraid there are some who must look back with feelings of humiliation. Now, I should like to ask the House whether it is desirable to introduce our mothers, and wives, and sisters, and daughters into the excitement, and the turmoil, and it may be into the very humiliation which seems in every country so far to attend a system of Parliamentary representation, whether it be in the United States, where so many systems are tried, or whether in this country, or in France, of which we recently have had an ex-

Foster, W. H.
Gallwey, Sir W. P.
Galway, Viscount
Garnier, J. C.
Goddard, A. L.
Goldney, G.
Goldsmid, J.
Gooch, Sir D.
Gordon, Sir A. H.
Gordon, W.
Gower, hon. E. F. L.
Greene, E.
Gregory, G. B.
Grey, Earl de
Halsey, T. F.
Hamilton, Lord C. J.
Hamilton, Lord G.
Hamilton, Marquess of
Hamilton, hon. R. B.
Hankey, T.
Harcourt, Sir W. V.
Hardcastle, E.
Hardy, rt. hon. G.
Hardy, J. S.
Havelock, Sir H.
Hay, rt. hon. Sir J. C. D.
Hayter, A. D.
Herschell, F.
Hildyard, T. B. T.
Hinchingbrook, Visct.
Holford, J. P. G.
Holland, Sir H. T.
Holms, J.
Hood, hon. Captain A. W. A. N.
Hope, A. J. B. B.
Hubbard, E.
Hubbard, rt. hon. J.
James, Sir H.
James, W. H.
Johnstone, Sir H.
Jolliffe, hon. S.
Kavanagh, A. MacM.
Kay-Shuttleworth, U. J.
Kingscote, Colonel
Knowles, T.
Lawrence, Sir J. C.
Lawrence, Sir T.
Lee, Major V.
Lefevre, G. J. S.
Legh, W. J.
Lewis, C. E.
Lewis, O.
Lindsay, Lord
Lloyd, T. E.
Lopes, H. C.
Lorne, Marquess of
Lowe, rt. hon. R.
Macartney, J. W. E.
Mac Iver, D.
M'Arthur, W.
Maitland, J.
Maitland, W. F.
Majendie, L. A.
Makins, Colonel
Malcolm, J. W.
Marling, S. S.
Massey, rt. hon. W. N.
Merewether, C. G.
Mills, Sir C. H.
Monckton, F.
Monk, C. J.
Montgomerie, R.
Montgomery, Sir G. G.
Moore, A.
Morgan, hon. F.
Morgan, G. O.
Mowbray, rt. hon. J. R.
Mulholland, J.
Mure, Colonel
Naghten, Lt.-Col.
Newdegate, C. N.
Newport, Viscount
Noel, rt, hon. G. J.
North, Colonel
O'Callaghan, hon. W.
O'Conor, D. M.
Paget, R. H.
Parker, Lt.-Col. W.
Pease, J. W.
Peel, A. W.
Peel, rt. hon. Sir R.
Pell, A.
Pemberton, E. L.
Pennant, hon. G.
Peploe, Major
Percy, Earl
Plunket, hon. D. R.
Plunkett, hon. R.
Portman, hn. W. H. B.
Praed, C. T.
Praed, H. B.
Raikes, H. C.
Ridley, M. W.
Ritchie, C. T.
Robertson, H.
Roebuck, J. A.
Rothschild, Sir N. M. de
Russell, Lord A.
Russell, Sir C.
Salt, T.
Samuda, J. D'A.
Scott, M. D.
Scourfield, Sir J. H.
Sidebottom, T. H.
Simonds, W. B.
Smith, S. G.
Smith, W. H.
Smollett, P. B.
Smyth, P. J.
Somerset, Lord H. R. C.
Sotheron-Estcourt, G.
Stanhope, W. T. W. S.
Starkie, J. P. C.
Steere, L.
Stevenson, J. C.
Stuart, Colonel
Swanston, A.
Sykes, C.
Talbot, J. G.
Tavistock, Marquess of
Thornhill, T.
Thynne, Lord H. F.
Torr, J.
Tracy, hon. C. R. D. Hanbury-
Tremayne, J.
Trevor, Lord A. E. Hill-
Walker, T. E.
Wallace, Sir R.
Walsh, hon. A.
Walter, J.
Waterlow, Sir S. H.
Watney, J.
Weguelin, T. M.
Wellesley, Captain
Whitbread, S.
Whitelaw, A.
Williams, Sir F. M.
Williams, W.
Wilmot, Sir H.
Wilmot, Sir J. E.
Winn, R.
Wolff, Sir H. D.
Woodd, B. T
Wynn, C. W. W.
Yarmouth, Earl of
Yorke, hon. E.

TELLERS.

Folkestone, Viscount
Leatham, E. A.

Words *added.*

Main Question, as amended, put, and *agreed to.*

Second Reading *put off* for six months.

PARLIAMENT—PUBLIC BUSINESS—CUSTOMS AND INLAND REVENUE BILL.

QUESTION.

MR. RYLANDS said, he should wish to know, What reasons had induced the Government to postpone the Bill on the Budget, which he had understood was to be brought forward on the first Thursday after Easter. Perhaps the Secretary of the Treasury would say whether they might rely on the second reading of the Bill not being taken until after the Merchant Shipping Bill?

MR. W. H. SMITH: The Customs and Inland Revenue Bill will not be taken first to-morrow. It will be the Merchant Shipping Bill that will stand first, and I am not sanguine that we shall be able to get to the Customs and Inland Revenue Bill in sufficient time to read it a second time, but it will be placed second on the Orders.

SALE OF COAL BILL.

Considered in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to amend the Law regulating the Sale of Coal, Slack, Culm, and Cannel.

Resolution *reported:* — Bill *ordered* to be brought in by Mr. GOURLEY, Mr. PALMER, Mr. HAMOND, Mr. DODDS, Sir HENRY HAVELOCK, and Mr. ASHBURY.

Bill *presented,* and read the first time. [Bill 132.]

CHELSEA HOSPITAL ACCOUNTS BILL.

On Motion of Mr. STEPHEN CAVE, Bill to extend the Exchequer and Audit Act of 1866 to the Accounts of Chelsea Hospital, *ordered* to be brought in by Mr. STEPHEN CAVE, Mr. WILLIAM HENRY SMITH, and Mr. STANLEY.

Bill *presented,* and read the first time. [Bill 133.]

LOCAL GOVERNMENT PROVISIONAL ORDERS, BRITON FERRY, &C. (NO. 4) BILL.

On Motion of Mr. SALT, Bill to confirm certain Provisional Orders of the Local Government Board relating to the districts of Briton Ferry and Clayton, the Rural Sanitary District of Coventry Union, the borough of Nottingham (two), and the districts of Oystermouth and Ripley, *ordered* to be brought in by Mr. Salt and Mr. Sclater-Booth.

Bill *presented*, and read the first time. [Bill 134.]

LOCAL GOVERNMENT PROVISIONAL ORDER, SKELMERSDALE (NO. 5) BILL.

On Motion of Mr. Salt, Bill to confirm a Provisional Order of the Local Government Board under the provisions of "The Gas and Water Facilities Act, 1870," and "The Public Health Act, 1875," relating to the district of Skelmersdale, in the county of Lancaster, *ordered* to be brought in by Mr. Salt and Mr. Sclater-Booth.

Bill *presented*, and read the first time. [Bill 135.]

KINGSTOWN HARBOUR BILL.

Considered in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill further to amend the Acts relating to Kingstown Harbour.

Resolution *reported:* — Bill *ordered* to be brought in by Mr. William Henry Smith and Mr. Chancellor of the Exchequer.

Bill *presented*, and read the first time. [Bill 136.]

House adjourned at five minutes before Six o'clock.

HOUSE OF LORDS,

Thursday, 27*th April*, 1876.

MINUTES.] — Select Committee — *Report* — Office of the Clerk of the Parliaments and Office of the Gentleman Usher of the Black Rod. (No. 56.)

Public Bills — *Royal Assent* — Royal Titles [39 *Vict.* c. 10]; Drainage and Improvement of Lands (Ireland) Provisional Orders (No. 2) [39 *Vict.* c. 8].

SULPHUROUS ACID.

HER MAJESTY'S ANSWER TO THE ADDRESS.

The LORD STEWARD (Earl Beauchamp) *reported* The Queen's answer to the Address of the 27th of March last as follows:—

"I have received your Address, praying that a Royal Commission may be appointed to inquire into the working and management of works and manufactories smelting, burning, or converting ores and minerals by which sulphurous acid, sulphuretted hydrogen, and ammoniacal or other gases are given off, to ascertain the effect produced thereby on animal and vegetable life, and to report on the means to be adopted for the prevention of injury thereto arising from the exhalations of such acids and gases, and upon the legislative measures required for this purpose, and I have given directions that a Commission shall issue for the purpose which you have requested."

FELSTEAD SCHOOL—DISMISSAL OF REV. W. GRIGNON.

OBSERVATIONS.

Lord CAMPBELL, in calling the attention of the House to the dismissal of the Rev. W. Grignon, Head Master of Felstead School, by the Governing Body, said, he did so not so much in the interest of that rev. gentleman as in the interest of Head Masters generally. The vindication of Mr. Grignon had been already ample. During the past Autumn no topic of inferior importance was heard of more frequently than the case of Mr. Grignon, and there was none on which public opinion expressed itself more decisively —his dismissal had been commented upon by every journal in Great Britain; and the refusal of the right rev. Prelate who presided over the diocese of Rochester to re-hear the case had elicited some strong observations. Mr. Grignon had been for nearly 20 years Head Master of the school. On his appointment he found the school in a languishing condition; but during his term of office the school progressed, the number of its scholars increased in a very marked manner, and he raised it to a high state of reputation and prosperity. Indeed, the services of Mr. Grignon in connection with the school were so well established, that no aspersions which might have been cast upon him could affect his character in the eyes of those who had charge of educational establishments, or of the public generally. A large number of Fellows of the University of Cambridge—including some of the most distinguished University men—had expressed their opinion on Mr. Grignon's case in a document which had been extensively published, and no fewer than 60 Masters of Endowed Schools had addressed the Charity Commissioners, protesting against the dismissal of Mr. Grignon without a hearing. Further, when Mr. Grignon had been dismissed by the Trustees, he appealed to the right rev. Prelate the Bishop of Rochester, whose approval as Bishop of the Diocese was made necessary by the Endowed Schools Act, and he was simply informed by the secretary of the Bishop that he could not find anything in the communication he had received which would induce him to differ from the decision of the Trustees. The general principle involved in the case was that Head Masters should receive a more adequate protection as against Governing Bodies than they did at present. As regarded the Head Masters of schools under the Public Schools Act perhaps no legislation was required; their offices were so conspicuous in connection with historic institutions, that no injustice done them by Governing Bodies was likely to pass unnoticed and unchallenged. But with the Head Masters of schools under the Charity Commissioners the case was different; publicity with respect to the acts of the trustees of such schools was more limited, and no person could have predicted that such a commotion would follow the dismissal of Mr. Grignon. The Charity Commissioners might give Head Masters an appeal from the Trustees; but in the schemes which they were framing he could not find that any such appeal was given—the position of the Head Master was laid down in the scheme of the school. A Resolution of their Lordships' House, recommending that the Commissioners should provide an appeal, would be very appropriate; but he could not move such a Resolution without Notice, and without a reasonable certainty that it would meet with support from a considerable number of their Lordships. He thought, however, that Her Majesty's Government might be able to effect the desired object. The Charity Commissioners were amenable to Her Majesty's Government, and if the propriety of giving the Head Masters an appeal were suggested to the Commissioners by the Government, no doubt the suggestion would be acted on. As there was a relationship between himself and Mr. Grignon, he did not ask their Lordships to rely on his statement alone. He thought, however, they would find that it was amply corroborated. The wrong done to Mr. Grignon might not admit of reparation; but that wrong would not have been suffered without beneficial result, if it led to measures which would protect Head Masters generally from treatment such as that to which Mr. Grignon had been subjected.

Lord HENNIKER said, that before making the remarks he intended to offer to the House he could not help expressing his opinion that the subject was one which was, perhaps, hardly suited for Parliamentary discussion. If it were one affecting any important branch of education in the country, there was no fitter place than that House in which to discuss it; but the question brought forward by the noble Lord (Lord Campbell) was really one of local interest only, and in a few words he would show their Lordships why it was so. Were it a question of the working of the Felstead School, an important establishment, it would be a matter of public importance, but the facts of the case were, shortly, these—Mr. Grignon came to Felstead in 1855, and there were then 69 boys in the school. Six years afterwards there were only 65 boys there, although in the three years and a quarter before 1855 the school had risen in numbers from 22 to 69. In 1862 the number of scholars was suddenly increased to 100, and in 1867 to 174. No doubt Mr. Grignon contributed largely to this result; but that gentleman said himself, when the Trustees doubted whether they ought to spend a large sum of money in enlarging the school—

> "I found my expectation of the school keeping full on the following reasons. . . . The fact that it is, for the kind of education given, and the number and efficiency of the staff of masters, by far the cheapest school in England. This is so decidedly the fact that it would require, I believe, very marked inefficiency in the teaching or domestic management to keep the numbers down."

He (Lord Henniker) did not wish to detract from the merits of Mr. Grignon as a Head Master. Even those who dismissed him were ready to say he did well up to a certain period, and a Senior Wranglership and several University honours were gained by his pupils. But numbers were not everything. At present the school, both as regarded numbers and efficiency, was all that could be desired: it was as full as it could hold; its reputation was kept up; two scholarships had been gained a short time ago at one of the Universities, and peace reigned where discord had been the rule for some time past. He contended, therefore, that the question was not one of public interest, but was a local, and he might even say, a personal one between Mr. Grignon and the Trustees. It had been discussed in the local newspapers, in pamphlets issued to the parents, and even in letters which had appeared in *The Times.* He had no intention of troubling their Lordships with small details connected with the subject. They were endless; but he would endeavour to place as plain and short a statement before their Lordships as possible of actual facts. As the noble Lord opposite had thought proper to bring the question forward, he thought the shortest way of replying to him would be to give an account of the position taken up by the Trustees, leaving their Lordships to form their own judgment with regard to it. The Chairman of the Trustees was his (Lord Henniker's) cousin, and in his capacity of chairman he had requested him to lay their case before the House. He knew none of the Trustees, except Sir Brydges Henniker; he did not know their clerk, or Mr. Grignon; he was not even a resident in Essex, but he had had opportunities of hearing of this case from time to time, and of seeing the documents which bore upon it, and he thought he might claim to place the matter fairly before their Lordships—certainly without any strong personal feeling. The Trustees based their case on the document now before their Lordships, and which was submitted to the Trustees at the meeting when Mr. Grignon was dismissed. It was as follows:—

"That the relations between the Trustees of Felstead School and the Head Master are so unsatisfactory that great detriment to the school is now imminent. That in consequence of a decision come to by the Trustees on the occasion of an inquiry instituted at Mr. Grignon's request, and at the close of which the Trustees compelled the resignation of several Masters with whom he, Mr. Grignon, had quarrelled, he, Mr. Grignon, felt himself aggrieved, and from that time has set himself in direct opposition to them, and has lost no opportunity of publicly vilifying them. That he shortly after this inquiry voluntarily resigned the house stewardship, giving no reason to the Trustees for so doing, but stating in a letter to the matron that his reason for so doing was the injustice—and intentional injustice—done him by the Trustees. That the Trustees continued in her office the matron who had been appointed by Mr. Grignon himself, and of whom, up to that time, he had always spoken in the highest terms. That her conduct, under very trying circumstances, subject as she has been to annoyance and misrepresentation at the hands of Mr. Grignon, has given satisfaction to the Trustees; that they believe her to be most conscientious in the discharge of her duties as matron, and kind and attentive to the boys. That on Mr. Grignon resigning the house stewardship, the Trustees appointed the clerk to that office. That the wisdom of that appointment has been fully justified by the fact that the school accounts have been brought into good order out of the confusion they had fallen into under Mr. Grignon's administration. That economy now prevails without any loss of comfort to the boys. That Mr. Grignon has taken on himself to send circulars to the parents of the boys, impugning in every particular the conduct of the Trustees, and speaking of them in such terms as to make it impossible that those cordial relations which ought to exist between the Governing Body and the Head Master can ever be re-established between him and them. That he has thwarted in every way the steward and matron in the discharge of their duties. That when called upon by the Trustees to give an opinion on a change proposed by them as necessary for the health of the scholars, he returned the most insulting answers to them. That it is impossible for this condition of affairs to last—that the school must collapse, and that it comes to this—that either the Trustees must sacrifice the steward and matron, in whom they have every confidence, in order to please Mr. Grignon, of whose administration of the school they have not that high opinion which he appears himself to hold, or that they should call upon him to resign the post of Head Master. Of these two alternatives, they have preferred the latter."

First, then, as to the second paragraph. In 1873 Mr. Grignon quarrelled with one of the under-masters, of whom he had spoken most highly a short time before, and demanded his dismissal. The Trustees thought that if this gentleman were asked to resign, it would be sufficient. However, he would not resign, and was dismissed. In the course of the inquiry, the under-master brought certain charges against Mr. Grignon, with respect to which the Trustees thought Mr. Grignon not entirely free from blame, and in framing their resolution to dismiss the under-master they expressed an opinion to that effect. Mr. Grignon chose to think this was a blow aimed at him. Soon after this two of the Trustees died, and a third was made Dean of Winchester, so that the number of Trustees, already below the full number of 11, was reduced to five. The scheme of the school provided that new Trustees should be appointed when the number fell below seven. Mr. Grignon, who seemed to have been in a state of uncontrollable irritation, took it into his head that the Trustees had no power to act, and attacked them forthwith. He set to work by saying that they had no power, and he called them "shabby," "contemptible," and "ignorant." Now, it was the general rule, as their Lordships were aware, to insert a clause in charitable trust deeds to allow the remaining Trustees, when vacancies occurred, to act till others were appointed. It was so in this case. However, Mr. Grignon thought otherwise, and accordingly, in speeches and in print, used towards them terms such as he had mentioned. The Trustees bore this in silence for more than a year; but at last they instructed their clerk to ask Mr. Grignon officially whether he had said these things, or written of them in this way. He replied that he was "most certainly" the author of the writing attributed to him—he in no way acknowledged his mistake—and had not done so now, up to the present moment; on the contrary, he had never ceased to vilify the Trustees. It must be remembered that this course of proceeding was allowed to go on for a year without notice; and, to show the patience with which the Trustees endured Mr. Grignon's conduct, he (Lord Henniker) would quote one or two of the agreeable things which that gentleman said of them. In a letter to *The Guardian* newspaper he said:—

> "I have seen this poor remnant of what was once an efficient body of Trustees too often not to have gauged pretty thoroughly the character and capacity of each."

On another occasion he charged them with "evasion," and, again, with sending him a communication "colourable and insincere." He held them up to contempt, one by one, as far as he could, in one of his several letters to the parents of the boys, saying some had not been to a University, and some had not taken high degrees—in fact, he seemed to have done all he could to bring contempt upon them; and actually, in his last pamphlet, he charged them with tampering with the funds, writing to the Charity Commissioners to object to the appointment of new Trustees in 1874, while still Head Master, and without notice to them. He said in his pamphlet—

> "I had reason to think that one of those nominations would lead to an infringment of the very important rule that a body of Trustees should not enter into pecuniary dealings with one of their own number."

The pamphlet he issued to the parents of scholars contained many gross misstatements; but he would take one instance only—Mr. Grignon said in his pamphlet that Mr. Onley, one of the Trustees at the time the under-master was dismissed, admitted that it was quite impossible for this Master to stay, but, to avoid injuring him, suggested that the matter might be settled by Mr. Grignon undertaking to give him a good testimonial; that he objected to do so, and that then Mr. Onley said—"You need not . . say anything about moral character, but you might speak of his ability in teaching, and so on." This statement the Trustees declare to be entirely without foundation. He referred to this incident only for the purpose of showing the sort of man the Trustees had to deal with, one who was not accurate in his facts, and secretly accusing them of dishonourable conduct. There was an episode, which really need hardly be alluded to, but for the fact that it showed that Mr. Grignon was determined to oppose the Trustees in every way: the resignation of the house stewardship by Mr. Grignon. He had held it some time, an extra master had been appointed to help him with the sixth form, as the work was too much for him, and the house management when he gave it up was in confusion. He resigned, as he had said, and soon set to work to complain of the matron, who had virtually taken the position of house steward. She had been appointed by him; an outbreak of scarlet fever took place, and he complained that the boys were neglected, but the Trustees did not agree with him. He then wrote to the parents abusing the arrangements of the school. In fact, he left no stone unturned to oppose the Trustees in every way. Discord, naturally, existed in the school, and it was impossible for the Trustees to go on in a satisfactory manner with Mr. Grignon. He had purposely passed over this episode in detail. He could show that Mr. Grignon was entirely in the wrong all through it, but he could not weary their Lordships with such endless details; details which anyone could read in the pamphlets published. Before concluding he begged to be allowed to allude to one more point: the statement of Mr. Grignon that he was condemned unheard, and that the preamble to the resolution passed for his dismissal was in print before the meeting was held. The latter statement was not a fact, and he would leave their Lordships to judge of the truth of the former by what he was about to relate. A meeting of the Trustees was appointed for June 8 last. On June 4 the clerk wrote to Mr. Grignon to call his attention to the authorship of the speeches and letters to which he had already alluded, and he stated—

> "The above will be made the subject of a motion at the meeting of Trustees of which you have had notice."

Mr. Grignon, in a previous circular to the Trustees, said in a postcript—

> "On the slightest intimation that it is your wish to take my personal evidence at your meeting at Braintree on the 8th inst., I will make arrangements to be there, notwithstanding the pressure of examination work from which I can ill be spared."

The clerk wrote to him as follows:—

> "June 7, 1875.
>
> "Reverend Sir,—I am not instructed to invite your attendance to-morrow; but I am sure that if you wish for an audience on the subject of my last letter, or on any other matter of business, the Trustees will be ready to receive you.—Your obedient servant, A. C. VELEY."

And his remarks on that part of the proceedings the clerk said—

> "Mr. Grignon had thus a plain intimation that his speeches and writings would be made the subject of a motion at the meeting of Trustees, and that the latter, though not choosing to invite a man who had insulted and defied them, were willing to hear anything he had to say. He had proclaimed his desire 'to minimize his communications with these men,' and they did not seek what he had repelled. Mr. Grignon did not attend the meeting or offer any explanation of his letters and speeches."

He thought he need say no more on that point. The Trustees long ago applied to the Charity Commission for the appointment of Trustees, and were quite willing for a searching inquiry by a sub-Commissioner. He thought he had shown their Lordships, without going into unnecessary details, that the Trustees and Mr. Grignon could not possibly get on together any longer. The Trustees believed they were in the right; they knew their power of dismissing a Head Master without giving a reason—a power given for the very purpose of meeting a case of this kind—a power which was given under the Endowed Schools Act and to them by their scheme; but they were so confident of the position they had taken up that the moment they heard the Charity Commission had been petitioned to institute an inquiry, they directed their clerk to write to the Commissioners to say they would give every facility for such an inquiry, although the Charity Commission had no power over them by their scheme. He thought their Lordships would see that the conduct of the Master could not be put up with any longer; that they would see what sort of man he was by the mis-statements he made, the intemperate language he used, his extraordinary conduct in insulting the Trustees in every possible way, and his defiance of their authority, both to the parents and in public, while still in their employment. He thought their Lordships would be able to judge whether any other course was open to the Trustees, whether they acted harshly, and he would go so far as to say whether they would have acted honestly to the school if they had allowed such a state of things to go on. He had not gone further than he was obliged into details, for he thought he had stated enough to make his case good, and for the sum of 1*s.* any of their Lordships who wished to spend a happy and pleasant half hour, would have details repeated over and over again, in a pamphlet written by this martyr to the good cause of education himself. Be that as it might, he must apologize to their Lordships for taking up so much time in discussing a subject which, he thought, would have been far better left to public opinion out-of-doors.

THE BISHOP OF ROCHESTER said, that the noble Lord who had brought this matter before the House had commented upon his (the Bishop of Rochester's) acting upon the dismissal by the Trustees without any further or independent inquiry. The Trustees of the School had power to dismiss the under masters summarily, and the Head Master with the approval of the Bishop of the diocese. The reason why he had not instituted a second investigation was that he did not think it necessary: he thought it unnecessary to ask for further evidence, because he thought the evidence on which the Trustees had acted in dismissing Mr. Grignon was amply sufficient. He was sorry to have to speak harshly of Mr. Grignon; but he might say that the evidence went to show that Mr. Grignon had indulged in reiterated personal vituperation and abuse of the Trustees—in other words, of the persons with whom co-operation on his part was essential to the well working of the school. He believed that no one of the Head Masters or Fellows of Colleges to whom reference had been made would have used language such as that which Mr. Grignon had used. The fact was things had come to a dead-lock between them, and in consequence the Trustees resorted to the step of dismissing him. And he (the Bishop of Rochester) arrived at the conclusion that Mr. Grignon had been properly dismissed. Complaint had been made against him (the Bishop of Rochester) that he had answered Mr. Grignon through his secretary. The facts were these—that while he as Bishop had the matter under consideration a letter came from Mr. Grignon, which he (the Bishop of Rochester) did not answer, because he was considering the case. Then Mr. Grignon wrote to his secretary asking what answer would be made; and he (the Bishop of Rochester) told his secretary to say that nothing had been brought before him to alter his opinion that he had been properly dismissed. He (the Bishop of Rochester) was extremely sorry that the dismissal of Mr. Grignon after his 20 years' service should have become necessary, but necessary he believed it to be. When a Head Master complained continually to parents of the mis-management of Trustees, and actually stated that he had minimized his communications with those persons who, together with himself, were responsible for the well-being of the school, it could not be wondered at that he should be dismissed. He was sorry that their Lordships' time had been taken up in listening to this matter, and with every regret for Mr. Grignon's position, he believed the school would get on very well though he had ceased to be its Head Master.

Lord DYNEVOR said, that he considered Mr. Grignon had been hardly treated, and though he did not defend his intemperate language, yet looking at what had taken place at the school, particularly with regard to a case of scarletina, when a boy suffering from it had been placed in the room where the other boys' clothes were kept, it could not be wondered at that Mr. Grignon should speak strongly. He was reminded of the question—"Doth our law judge any man before it hear him?" and he thought the rule of hearing before condemning had not been followed in this instance. If Mr. Grignon had been granted a hearing he might have been induced to apologize. He considered that what had occurred was very much to be lamented.

Lord CAMPBELL, in reply, said, that nothing but inevitable necessity had prevented two noble Lords — one on each side of the House — from attending that evening to reply to the speeches of the noble Lord and the right rev. Prelate. It was never his intention to enter into all those details which the noble Lord (Lord Henniker) had done. His conviction was that in spite of the defence offered for the conduct of the Trustees and of the right rev. Prelate, the opinion of the public would be still the same. The only object which he had had was to bring about a public good through an unfortunate transaction; and he would endeavour to impress upon the Government the expediency of considering how far it was consistent with their duty to urge upon the Charity Commissioners to frame a different class of schemes from that which had enabled the Trustees to dismiss Mr. Grignon — to frame a class of schemes which would enable Head Masters and others to appeal against their dismissal, and which would prevent such a scandal as the Felstead case from occurring in future. The conduct of the Charity Commissioners must have an extensive influence upon the course pursued by endowed schools' trustees, and the Government might exercise an influence upon the Charity Commissioners. Nothing at all had fallen from the right rev. Prelate which would alter public opinion, that he had declined to hear the Head Master (Mr. Grignon) before his final dismissal by the Trustees with his permission.

House adjourned at a quarter past Six o'clock, till To-morrow, a quarter before Five o'clock.

HOUSE OF COMMONS,

Thursday, 27*th April*, 1876.

MINUTES.]—New Member Sworn—James Duff, esquire, *for* Norfolk County (Northern Division).

Select Committee—Metropolitan Fire Brigade, Mr. Fielden *disch.*, Mr. Hardcastle *added.*

Public Bills — *Ordered* — *First Reading*— County Rates (Ireland) * [138].

Second Reading—Pier and Harbour Orders Confirmation (Aldborough, &c.) * [131]; Game Laws Amendment (Scotland) * [123], *debate adjourned.*

Committee—Merchant Shipping [49]—R.P.

Committee—Report—Publicans Certificates (Scotland) (*re-comm.*) * [115].

Third Reading—Local Government Provisional Orders (No. 2) * [122]; Local Government Provisional Orders (No. 3) * [125], and *passed.*

ROYAL TITLES BILL.—NOTICES.

Mr. COWEN gave Notice that tomorrow he would ask the noble Lord the Member for the Radnor Boroughs (the Marquess of Hartington) Whether, considering that since the Royal Titles Bill was read a third time information has reached this country showing that the statement of the Prime Minister on the introduction of the Bill that it would give satisfaction to the Princes and people of India was the reverse of correct, he will endeavour to secure to the House another opportunity of considering the addition to Her Majesty's title, which it is most expedient should be assumed before the Proclamation is issued which will give effect to the Royal Titles Bill?

Mr. CHARLES LEWIS gave Notice that on the 28th instant, or as soon as the right hon. Member for the University of London (Mr. Lowe) should be in his place, he would ask, Whether he is correctly reported in *The Daily Telegraph* of the 19th of April to have spoken at a Liberal banquet at East Retford with reference to the Royal Titles Bill as follows:—

> "I strongly suspect that this is not now brought forward for the first time. I violate no confidence, because I have received none: but I am under a conviction that at least two previous Ministers have entirely refused to have anything to do with such a change. More pliant persons have now been found, and I have no doubt the thing will be done."

And if the answer of the right hon. Gentleman should be in the affirmative, he would ask whether the right hon. Gentleman will state to which Ministers of the Crown he referred in such speech; and, whether the information upon which he made such statement was communicated to him by any one holding the position of a Privy Councillor?

Mr. SPEAKER: I think it right to state to the House that the Question of which the hon. Member has given Notice refers to matters which passed outside the walls of this House, and does not relate to any Bill or Motion before the House, and that therefore it is a Question which, according to the Rules of this House, cannot be put.

EGYPT—PAPERS, &c.—QUESTION.

Mr. COWEN (for Mr. J. W. Barclay) asked the First Lord of the Treasury, Whether he will lay upon the Table of the House a Copy of the Correspondence between Her Majesty's Government and the Khedive of Egypt in regard to the appointment of a Commissioner on the foundation of a National Bank in Egypt, or as Receiver of part of the revenues of Egypt?

Mr. DISRAELI: Mr. Speaker, generally speaking, all the Papers connected with Egyptian affairs will be laid upon the Table of the House; but it will not be convenient to lay them on the Table immediately.

OWNERS OF LAND (ENGLAND)—THE NEW "DOMESDAY BOOK."

QUESTION.

Mr. WHITWELL asked the President of the Local Government Board, Whether it is the intention of the Government to issue a corrected edition of the list of holders of land in England and Wales designated the Domesday Book; and, if not, whether, lest the book should in future years become a reputed schedule of the areas of land held by individual owners at this time in the several counties, he will state that it does not profess to be an authority or any evidence as to the legal title to or ownership of land, and that it assumes to be no more than a compilation from the rate books of England and Wales, has been already found to contain numerous errors?

Mr. SCLATER-BOOTH, in reply, said, there was no intention of issuing a corrected edition of the list of holders of land in England and Wales; but a record had been made of the corrections which had been sent in to the office, in case it should hereafter be deemed expedient to issue a supplementary statement. The Return was only a compilation from the various rate books of England and Wales; and inasmuch as they had never been relied upon as evidence of legal title, so far as he was aware, the hon. Gentleman might feel assured that no evidence of title or ownership could possibly be rested upon the statements in this Return.

THE CIVIL SERVICE—THE ORDER IN COUNCIL—CLAUSE 12.—QUESTION.

MR. O'CONOR asked Mr. Chancellor of the Exchequer, What steps have been taken to place those writers who are eligible, under the conditions of Clause 12 of the Order in Council of the 12th February 1876, in the new lower grade of the Civil Service; and, whether, in the case of men who have served a number of years as writers, such service shall count towards pay and promotion in the new division?

THE CHANCELLOR OF THE EXCHEQUER, in reply, said, that applications were in course of being received from the particular Departments in which writers were specially selected for appointment. Several appointments had been made, and others were under consideration. With regard to the position of writers, such as had received more than the minimum would, if advanced, be allowed to begin at the higher salary. Promotion would be regulated strictly and exclusively by merit.

ARMY—MILITIA ADJUTANTS.

QUESTION.

MR. O'SHAUGHNESSY (for Mr. STACPOOLE) asked the Secretary of State for War, Whether the former Adjutants of Militia who have been gazetted to the honorary rank of Majors, and made supernumerary in their regiments (after having accepted the liberal retirement under the recent Warrant) will be called out to do duty as Field Officers during the training of their regiments this year; if so, will they draw additional pay and allowances during such trainings; in the event of their drawing extra pay, whether having three Majors will not add considerably to the charge for the Staff of the Army; and, what place on parade or in the field is the third Major to occupy?

MR. GATHORNE HARDY: In reply to the Question of the hon. Gentleman, I have to state that these officers will attend training if not granted leave of absence, and, in accordance with the terms of the Warrant, will receive so much of their pay as shall, with their retired allowance, amount to the full pay of the rank they hold in the Militia. A considerable additional expense is incurred; but this was duly considered at the time of preparing the Royal Warrant, and allowed as being necessary to carry out the localization scheme. The third Major will assist the other Field Officers, in accordance with the orders he may receive from his commanding officer.

ARMY—ARMY AND AUXILIARY FORCES—RETURNS.—QUESTION.

MR. J. HOLMS asked the Secretary of State for War, When the Return showing the number of Commissioned Officers in the Army and Auxiliary Forces, moved for on the 5th August 1875, will be in the hands of Members?

MR. GATHORNE HARDY: I must inform the hon. Gentleman that the preparation of this Return has involved enormous labour, and the labour of printing it is almost equal to that of preparing it. I hope, however, it will be in the hands of hon. Members within a week.

THE VALUATION BILL—SURVEYORS OF TAXES.—QUESTION.

MR. E. HUBBARD asked Mr. Chancellor of the Exchequer, Whether, considering the alarm felt at the position of the Surveyor of Taxes in the Valuation Bill, he will state to the House how far the Surveyor of Taxes is paid by a percentage or poundage on the amount of taxes that he pays over to the Revenue; and, if the promotion of a surveyor to new districts of a higher class is influenced by his having been able to raise the amount of the rates in his old district?

THE CHANCELLOR OF THE EXCHEQUER: I have made inquiry, and the information which has been furnished to me is to this effect:—That Surveyors of Taxes are paid wholly by salary, and do not receive any percentage or poundage whatever. Their promotion is governed by the same rule which prevails in other departments—general merit and seniority. If complaints were received that a Surveyor of Taxes had improperly made a new assessment, such conduct would retard and not accelerate his promotion.

THE "MISTLETOE'—THE CORONER'S JURY.—QUESTIONS.

Mr. ANDERSON asked the Secretary of State for the Home Department, Whether he will direct an investigation, by a Committee of this House, into the proceedings in connection with the Gosport Coroner's Jury on the "Mistletoe" disaster?

Sir JOHN SCOURFIELD asked If the right hon. Gentleman would also direct an inquiry into the circumstances under which 32 persons lost their lives in Aberdeen owing to arrangements which had been pronounced to be defective by the Government Inspector?

Mr. ASSHETON CROSS, in reply, said, he had not been aware until that moment that he had the slightest power to direct an investigation by a Committee of the House of Commons into any matter. The Coroner was not subject to the Secretary of State in any shape. He had consulted the Lord Chancellor on the matter, and all he had to state was this:—He understood that the reference in the Question was to the first inquiry. That ended in there being no verdict; but the second inquiry ended in a verdict, and there was no imputation on the Coroner or jury connected with the second investigation. There was no case for a fresh inquiry. If the first Coroner misconducted himself, he might be removed by statutory proceedings before the Lord Chancellor. In the absence of any statutory proceeding, he thought the case was one in which the House would not interfere.

Mr. ANDERSON: In consequence of the reply which has been given by the right hon. Gentleman I will now give Notice that I will on the earliest possible day move for a Committee.

FACTORY AND WORKSHOP ACTS—LEGISLATION.—QUESTION.

Mr. Serjeant SIMON asked the Secretary of State for the Home Department, Whether it is his intention to introduce during the present Session a Bill to amend the Factory and Workshop Acts in accordance with the recommendations of the Commissioners?

Mr. ASSHETON CROSS, in reply, said, it was not the intention of the Government to introduce a Bill on the subject during the present Session. A very large amount of evidence had been taken in reference to the question, and he thought it right that the country should have an opportunity of considering it before any measure was brought in to amend the Acts.

ARMY—THE GUARDS—STOCK PURSE FUND ALLOWANCE.—QUESTION.

Mr. ARTHUR MOORE asked the Secretary of State for War, If he would state to the House what are the "Miscellaneous" expenses, besides hospital and recruiting services, which the allowance of £11,079 15*s*. or £158 5*s*. 6*d*. per company, given to the Guards' stock-purse, really are; how much of this sum goes to the hospital, and how much to the recruiting services; and, whether he has any objection to furnish a full statement of the appropriation of the allowance during the last year for which the accounts are complete?

Mr. GATHORNE HARDY, in reply, said, if the hon. Member would move for a Return he would give it unopposed.

PUBLIC BUSINESS—THE BUDGET BILL. QUESTIONS.

Mr. RYLANDS asked Mr. Chancellor of the Exchequer, If he will state to the House the reasons which have induced the Government to depart from the intention which he announced in the House before Easter of taking the Budget on the first Thursday after the holidays; and, whether he is now able to give a definite assurance as to the day upon which the Second Reading of the Customs and Inland Revenue Bill will be taken?

Mr. CHILDERS begged to ask the right hon. Gentleman why the Bill had not been printed?

The CHANCELLOR of the EXCHEQUER, in reply, said, when he stated that it was intended to take the second reading of the Customs and Inland Revenue Bill this day, he had hoped that the Merchant Shipping Bill would have passed through Committee on Monday. He was disappointed in that hope, and all he could now say was the reason why they did not propose to take the Customs and Inland Revenue Bill tonight was that they felt it necessary to proceed first with the Merchant Shipping Bill, and as soon as they had passed that through Committee they would take the Customs and Inland Revenue Bill as the First Order on the next Government day. He was not quite sure what had been the cause of the delay in the printing of the Bill; he saw it a little time ago, and he believed it was ready for distribution.

BARBADOES—THE RIOTS.—QUESTION.

MR. W. E. FORSTER asked the First Lord of the Treasury, Whether the Government has received any information to-day with regard to the state of the island of Barbadoes? He asked the Question because a most startling, not to say alarming, statement had appeared in the public Press this afternoon, purporting to be a telegram received from that island to-day.

MR. DISRAELI: I will give such information as I have to the right hon. Gentleman and the House; but, not having had Notice of the Question, I have not had, until the last few moments, time to make any inquiries. I understand, from the courtesy of the right hon. Gentleman, who sent the paper to me, that an extraordinary telegram, dated April 26th, has been published, saying—

> "500 prisoners taken; 40 killed and wounded; riots suspended; position threatening; confidence in the Government entirely gone."

[*Laughter.*] This is no laughing matter for the people of Barbadoes. There has been a telegram received by us, dated the 25th—that would be rather before this alarming telegram—but it has not been given to the House yet. It is as follows:—"No truth in the private telegram"—this is the answer to the inquiry we made as to the last alarming and mysterious telegram—

> "No truth in the private telegram. The island has been quiet since Saturday. Some black troops from Jamaica had left before my countermanding telegram. Will arrive on Friday. A detachment is also *en route* from Demerara, but they will not be detained."

The Chancellor of the Exchequer

That is a telegram from the Governor. That is all the information I can give to the House; nor can I throw any light on those mysterious telegrams, which have evidently been systematically forwarded to this country. I must leave it to the House to form their own opinions on this subject. I will, of course, take care that the most recent information is always furnished to the House.

ROYAL TITLES BILL—THE PROCLAMATION.—QUESTION.

MR. ANDERSON: Sir, in consequence of the Question of which Notice has been given to-night by the hon. Member for Newcastle (Mr. Cowen) as to the noble Lord the Leader of the Opposition using his influence to secure a day for the further discussion of the title of "Empress," I wish to ask the Prime Minister, Whether he will agree to delay the issuing of the Proclamation of the Royal Title till the noble Lord has had time to answer that Question?

MR. DISRAELI: The hon. Gentleman has given no Notice of the Question.

MR. ANDERSON: Under the circumstances I feel bound, in order to put myself right, to move the adjournment of the House. I do not think, Sir, although it is customary to give Notice of a Question, that the Question I have just asked is one that the Prime Minister ought to have had any difficulty whatever in answering without Notice. It is not a question as to anything which he would have to investigate; but simply a question as to his own willingness to do a certain thing, which must be within his own knowledge at once. It will be in the recollection of the House that during the debates on the Royal Titles Bill, one of those few arguments that had any weight at all with the House was that this title of Empress was to give great satisfaction to the people of India. When I spoke upon this question on the third reading of the Bill I had seen one or two Indian papers, and I said, even then, that it was quite evident that was not the case. Since then a great many more Indian papers have come to hand, and it turns out now, so far as we can judge from these, that almost universally the opinion of the people of India is not in favour of the title of Empress, but is directly opposed to it. Under these circumstances, Sir, for this is a sort of new revelation come to us, the House has really good ground for re-considering the decision already come to upon that Bill, and in order that the House may have an opportunity for that re-consideration the hon. Member for Hackney (Mr. Fawcett) gave Notice of a Motion, and has endeavoured in every way within his power to get a day for its discussion. The noble Lord the Leader of the Opposition was told by the Prime Minister that if he had supported that Motion the Government would then feel bound to accede to it. Now, a Question has been put down for to-morrow when the noble Lord the Leader of the Opposition is to give us a reply whether he will use his influence to get a day for the discussion of this question; and I think it is not an unreasonable thing to ask that the Proclamation shall be delayed till after the time that the noble Lord has considered that question and given his reply.

MR. DISRAELI: This shows the convenience of our Rule that Notice of Questions should be given. The hon. Gentleman in the present instance asked me whether I was prepared to advise Her Majesty not to issue a Proclamation in consequence of a Question of which Notice has been addressed by the hon. Member for Newcastle to the noble Lord the Leader of the Opposition. I was perfectly ignorant what that Question was until I gathered its purport now from the observations of the hon. Gentleman (Mr. Anderson). I never heard the Question—[" Notice "]—or Notice; we do not seem to know what the question is. It must have been put at the commencement of Business and just before I entered the House. But it comes to this—whether I will announce that I will delay advising Her Majesty respecting the issue of a Proclamation legally under an Act, which I believe is now passed, in consequence of a Notice which has been given by a Member of this House to address a Question to the Leader of the Opposition to-morrow. I beg to say I certainly shall not allow myself to be induced from refraining to give that advice which I think Her Majesty ought to accept and follow.

MR. CHARLES LEWIS gave Notice that when the hon. Member for Hackney addressed the House on his Motion of censure on the Government, he should ask the right hon. Member for the University of London the Question which he had already that evening read to the House.

MR. FAWCETT: Sir, it seems to me that the Prime Minister has hardly dealt fairly with—— [" Order!"]

MR. SPEAKER: There is no Question now before the House.

MR. FAWCETT: I understood that the adjournment of the House had been moved.

MR. SPEAKER: An observation was made by the hon. Member for Glasgow (Mr. Anderson) that he would conclude with a Motion—but he did not do so. A Question was then put to the right hon. Gentleman the First Lord of the Treasury, and that Question has been answered. That Question bore upon a Notice of a Question proposed to be put to-morrow by the hon. Member for Newcastle to the noble Lord the Leader of the Opposition. I did not at the time gather when he gave that Notice the precise drift of the Question; but I now very much doubt whether a question of that character could, consistently with the Rules of the House, be put to the noble Lord.

MR. ANDERSON: I commenced by moving the adjournment of the House.

MR. FAWCETT: I should like to be in order, and I understand the hon. Member now proposes the adjournment of the House.

MR. SPEAKER: The hon. Member commenced his observations by stating that he would move, but he made no Motion.

MR. FAWCETT: Then, so that I may put myself perfectly in Order, as there seems to be some doubt on the subject, I will conclude with a Motion for the adjournment of the House. It seems to me that although it is very easy on the part of the Prime Minister to represent what has been done by the hon. Member for Glasgow in a ludicrous light, the request he has made is a very reasonable one, and one which will be supported by many hon. Members on this side of the House. I am not going to make more reference than I possibly can avoid to what has taken place on previous occasions; but two Notices of Motion have been given, each of which has been interpreted by the Prime Minister as a direct Vote of Censure on the course of conduct the Government are now about to pursue. The second Motion was made as strong, precise, and distinct as it possibly could be made in order to give the Government an opportunity of defending their conduct, to which we object. The Prime Minister, adopting a course which I believe is somewhat unusual, said, apparently forgetting that private Members have again and again moved Votes of Censure in this House, that he could not facilitate the discussion on the Motion, which, as I said, he interpreted as a Vote of Censure, unless he received some countenance from the noble Lord the Leader of the Opposition. An hon. Friend behind me (Mr. Anderson) takes what seems to me the straightforward, practical, and sensible course, and asks whether in the present state of affairs he will delay issuing the Proclamation until the Question that is to be put to-morrow to the noble Lord the Leader of the Opposition has been answered. As the Prime Minister did not hear the terms of the Question, I may say it is to ask the noble Lord whether, considering that since the time when the Royal Titles Bill passed a third reading, information has reached this country that the statement made by the Prime Minister in justification of the Bill—namely, that it would give satisfaction to the Princes and people of India, is the reverse of accurate—a stronger word might be used—whether, under these circumstances, the noble Lord will use his influence to obtain a discussion of this question under the entirely new aspect it now assumes? It is quite possible for the First Lord of the Treasury to prevent the noble Lord from answering the Question. ["Divide!"] I am quite aware that hon. Members opposite do not like this question; but it is one which we must press, and, if necessary, we will carry the Motion to a division. The First Lord of the Treasury is alarmed at his present position. ["Oh, oh!"] I say advisedly that he is afraid to meet this Vote of Censure. I now challenge him to do so. He is afraid to be pressed with it, and he wants not to give the noble Lord an opportunity of exercising that influence which he knows, if exercised, would secure a discussion on this Motion, because the First Lord of the Treasury knows that he can defeat the Notice of Motion by issuing the Proclamation to-morrow morning. Why does not the Prime Minister answer the straightforward question that has been put to him by the hon. Member for Glasgow? Why does he not say "Yes" or "No" to a simple question? This is a question which we will use every power of the House to have considered. Will he or will he not give the House the assurance that the Proclamation shall not be issued until the noble Lord has had an opportunity for conferring with his hon. Friends upon the question? I beg to move the adjournment of the House.

Mr. POTTER seconded the Motion.

Motion made, and Question proposed, "That this House do now adjourn"—(*Mr. Fawcett.*)

The Marquess of HARTINGTON: It would certainly be more convenient that I should have had an opportunity of considering the terms of the Question of which the hon. Member for Newcastle (Mr. Cowen) has given Notice before I made any statement upon the subject. Like the right hon. Gentleman opposite, I did not entirely catch the terms of that Question which I understand my hon. Friend proposes to put to me to-morrow; but as, in consequence of the answer given by the right hon. Gentleman opposite, it appears probable that the matter may by to-morrow have passed entirely out of the control of Parliament, I think it necessary to say one or two words. I cannot altogether agree with the view taken the other day by the right hon. Gentleman on the subject of the Notice of Motion given by the hon. Member for Hackney (Mr. Fawcett). No doubt it is perfectly true that the Government themselves must be the judges of the importance which they choose to attach to a Motion involving censure on the Government; and it is obviously impossible that every Motion of censure by a private Member can be so treated by the Government as to be allowed to stand in the way of ordinary business. But, at the same time, it does seem to me that when a Motion of this description is brought forward which deals with a matter with which the House has a perfect right to deal—namely, the advice which the Ministers are going to give to Her Majesty with regard to the use that is to be made of an Act that has just passed through Parliament—it seems to me that the Government are taking a grave responsibility on themselves if they proceed to give the advice without giving a Member of the position of my hon. Friend the Member for Hackney an opportunity of laying before the House the views he wishes to lay before it, and without giving the House an opportunity of expressing its opinion upon those views. The right hon. Gentleman I understood to say would consider, at all events, the expediency of giving a day to the hon. Member if I or those who sit near me pressed him to do so. Well, Sir, the object of the Question of my hon. Friend the Member for Newcastle is to ascertain whether I am so prepared to press the right hon. Gentleman. I indicated the other day that I had considerable doubts whether any sufficient practical object was to be gained by again raising the question which I am afraid, as far as Parliament is concerned, has passed, or is very rapidly passing, entirely out of our control. I cannot say, from the communications which I have been able to have with hon. Gentlemen on this side of the House, that I have seen any reason to alter my opinion. I have not yet had an opportunity of consulting with many whom I should wish to have consulted. The other House of Parliament, too, is not altogether to be omitted from consideration, and it is only this evening that that House re-assembles after the Recess. So far, however, as I have had communication with my Friends, I see no reason to alter the opinion that I indicated the other day; and if it is necessary that I should give an answer without further consideration, I must say that I am not prepared to take the responsibility of pressing the Government to give the hon. Member the opportunity he asks for. That is my own opinion; but I think the Government are taking a very serious responsibility in pressing this measure forward with what I cannot but regard as unnecessary haste, and not only declining to give facilities, but absolutely preventing hon. Members from obtaining the opportunity which the ordinary Forms of the House would otherwise give them of bringing forward their Motions.

MR. DISRAELI: Mr. Speaker—We consider that the question which the hon. Member for Hackney wishes to raise is one on which the House has already given an opinion. We do not shrink from the responsibility of the course which we shall adopt, and we are not prepared to refrain from advising Her Majesty to issue the Proclamation which Her Majesty will be empowered to issue. But, having made that declaration, I beg to remind the House that it will be open to the House—if it wishes to change the opinion which it has declared, and wishes to censure the Government—it will, I say, be open to the House of Commons to express that censure; and I hereby undertake to say that, if the noble Lord the Leader of the Opposition, after considering with his Friends, and after due reflection, thinks that the conduct of Her Majesty's Ministers in this respect deserves the censure of the House, I will take care to give him the earliest opportunity of expressing such an opinion.

MR. JOHN BRIGHT: The right hon. Gentleman seems to seek to evade the question before the House. It is not a proposition made from this side of the House with a view of censuring the Government.

MR. DISRAELI: Yes it is; he says so.

An hon. MEMBER: It is distinctly stated.

MR. JOHN BRIGHT: Not at all. It takes a Parliamentary form which comes under that description. The object of that Motion is to give the House another opportunity of considering the question before it is finally decided. Nobody on this side of the House wants to pass a Vote of Censure on the Government. Everybody knows that would be a very foolish and absurd proposition to make in the present state of the House. But what is the fact in regard to this question? It has been pressed through both Houses of Parliament with a speed and with an urgency which are extraordinary. Why, Sir, when the Bill was before this House in Committee, although there were propositions made of the most reasonable, and I believe most proper, character with a view to certain verbal alterations in the Bill, every alteration, however reasonable, was rejected, and for this purpose—everybody knows the purpose—to prevent the House having an opportunity of further discussion on the bringing up of the Report. When the Bill went to another House, what was the course taken there? Propositions for Amendments were made by the most eminent lawyers in that House.

["Order, order!"] I hope I am not out of Order. What was said by the most eminent lawyer there? ["Order!" "Chair, Chair!"]

MR. SPEAKER: I must remind the right hon. Gentleman that he is not in Order in referring to the debates in the other House of Parliament.

MR. JOHN BRIGHT: I was not about to quote the words which were said in the other House. What I was going to say is this—that measures have been taken to prevent this House having any further opportunity for discussing that Bill, which we should have had if any alteration in the Bill had been permitted to be made in the other House. Therefore, looking at the whole matter from the beginning, there can be no doubt that the question has been urged forward with a degree of—what shall I say?—compulsion on the part of the Government which is unusual with regard to any other Bill. ["No, no!"] I say it is not only unusual, but it is dangerous on so delicate a question as that concerned in the Bill we are now discussing. I think, therefore, the right hon. Gentleman would have been wise to have given the House another opportunity for discussing it. It would have made no difference with what is called the "mechanical majority" which he leads, for there would still have been 100 in support of his views. But whether or not the question would have had another, and on the whole a fairer discussion than it had originally, the right hon. Gentleman in the future would have stood rather better than before, because he would have given the very fullest opportunity for considering the question and deciding finally upon it. The object of the Motion of the hon. Member for Hackney is merely this—to give the House an opportunity of expressing an opinion with regard to the addition to be given to the Queen's title. It is not for the purpose of passing a Vote of Censure on the Government, which it is quite obvious in the present state of the House it would not be in the power of this side of the House to carry.

THE CHANCELLOR OF THE EXCHEQUER: The speech of the right hon. Gentleman is rather a surprising one. He says the Motion of the hon. Member for Hackney was not intended to be a Vote of Censure; but surely the right hon. Gentleman cannot have looked at the terms of the Notice. The Notice is—

> "That this House disapproves of the advice which the Prime Minister has announced will be given to Her Majesty by Her Ministers, advising Her Majesty to assume the Title of Empress of India,"

and if that is not to all intents and purposes a Vote of Censure I honestly confess I do not know what is. But we are not left to draw inferences merely from the terms of the Notice itself. We draw our inferences from the circumstances attending the giving and the change of the terms of the Notice. Sir, the right hon. Gentleman has spoken of the Government using compulsion to force the Bill through Parliament. I really do not understand that sort of allegation. The Bill was brought forward in the most solemn manner; it was read a second time after a discussion without a division; the noble Lord the Leader of the Opposition himself brought forward a Motion on the occasion of the Bill going into Committee to the effect that the House, while not opposing the passing of the Bill, and while approving of Her Majesty making some addition to the style and title which belonged to the Crown, prayed Her Majesty not to take any particular title. Upon that Motion being made a full discussion took place; and the House, by a very large majority, consisting not exclusively of Members on this side of the House, but of a large majority of the House, decided against the Motion of the noble Lord. Subsequently to that the Bill passed through Committee. The various subjects which were brought forward were fairly and fully discussed, and the measure was afterwards read a third time in the usual way. We have even had it cast in our teeth as a reproach that so much time has been spent in the passing of this Bill that other measures of importance had to be laid aside. Well, the Bill went up to the other House, and there also, without going into the details of what occurred, we know that it was very fully discussed, and did not pass without much debate and a division. What, then, is our position? As soon as it was known that the Bill would pass the other House of Parliament the hon. Member for Hackney gave Notice before Easter that he would once more renew the question in this House. From the terms in which the Motion was couched it might, perhaps, bear the construction which the right hon. Gentleman has put upon it. But what happened? The noble Lord the Leader of the Opposition went so far that he deliberately asked the Government if they would not appoint a day for the hon. Member to bring his Motion before the House. The Government naturally supposed that it had been adopted by the Opposition.

The Marquess of HARTINGTON: The right hon. Gentleman is not quite accurate, as I am sure he would like to be. I simply asked a question as to the progress of Business during the week, and I called the attention of the Prime Minister to the fact that an important Motion stood upon the Paper, and inquired what was the intention of Her Majesty's Government with reference to it.

The CHANCELLOR of the EXCHEQUER: I beg the noble Lord's pardon for having unintentionally — speaking entirely from memory—misrepresented what passed; but the impression which was erroneously received on this side of the House was that the noble Lord, speaking for himself and his Friends, expressed the opinion that it was a question on which the Government ought to give an opportunity for discussion, and the Government understanding, perhaps erroneously, that there was an intention to challenge their conduct in a manner so serious, endeavoured to make an arrangement which, unfortunately or fortunately I do not say, but for some reason or other, did not take effect. That was not through any *laches* on the part of the Government. The Government did all that lay in their power to get the Motion discussed, and the opportunity might have been availed of before Easter for a full discussion of the Motion of the hon. Member for Hackney. Well, then, the Motion stood over until the House met after the Easter holidays, and it was still in the power of the House, if they had chosen, to take the opinion of the Leader of the Opposition whether it was a case in which it would be right to challenge the conduct of the Government, and to move what in the ordinary sense is called a Vote of Censure. That has not been done. The circumstances are fresh in the recollection of the House. The noble Lord, in what I think was a most reasonable and sensible manner, said that there would be no practical good to be got from a further discussion of the question—that it was not a matter that he and his Friends took up or pressed the discussion of; and thus we were left in the presence of the Motion of the hon. Member for Hackney. Under these circumstances, my right hon. Friend stated that it was impossible for the Government to suspend the ordinary and pressing Business of the House by giving up a day to a discussion which could lead to no practical consequence, and could only be productive of painful feelings at both sides of the House. Well, having arrived at that stage, suddenly, without any Notice whatever, an hon. Member gets up and says he will to-morrow put a Question to the noble Lord which is virtually to ask him whether he will change the sentiments he expressed the other day, and we have heard the answer of the noble Lord; and now we are told that we ought ourselves to interrupt the Business of Parliament and advise Her Majesty not to exercise her Prerogative in order that the hon. Member for Hackney may bring forward his Motion of censure. I do not think that is a reasonable proposition. However desirous the Government may be not to shrink from the fullest discussion of any question affecting their character or conduct, the House will feel, I think, that a line ought to be drawn, and that the Government have taken the proper course in this matter.

Sir JOHN LUBBOCK said, the right hon. Gentleman at the head of the Government had stated that after the issuing of the Proclamation the House would still have an opportunity of questioning the conduct of the Government. But what would be the use of doing so then? They were told that the Bill had not been pressed through Parliament with undue haste, and if it only referred to people in this country, that might be urged; but what time had been afforded to the House to ascertain the feelings of the Colonies in reference to it? They had been assured that a strong feeling existed in India in favour of the measure. Where was there any evidence of such feeling? Surely under such circumstances some opportunity should be given even to those who might have voted for the measure to re-consider the subject. The opinions of Englishmen in other parts of the world might then be ascertained; and he therefore appealed to the Government to enable the House to discuss the question still further.

Sir WILLIAM FRASER observed, that at the request of the Prime Minister he and other hon. Members who had Motions on the Paper agreed to give every possible facility to the hon. Member for Hackney to bring forward his Motion of censure. The right hon. Gentleman had hardly resumed his seat when, one after another, the Notices were withdrawn. But what occurred at the other side of the House? He did not know what were the political relations between the noble Marquess and the right hon. Gentleman the Member for Sandwich (Mr. Knatchbull-Hugessen) and the hon. and gallant Member for South Durham (Major Beaumont); but this was certain, that their Motions were not withdrawn. While one hon. Member was addressing the House 30 Members were present, and while the other hon. Member rose to bring forward his Motion the only other occupants of the House, were the junior Member for Greenwich (Mr. Boord) and the humble individual who was now addressing them. However important might have been the subjects such was the condition of the House. The right hon. Gentleman the Member for Birmingham (Mr. John Bright) had been pleased to refer to the majority at the back of the Prime Minister as a "mechanical majority." The right hon. Gentleman, as representing Birmingham, was probably a judge of mechanics; in any case, his constituents were; and he fancied the right hon. Gentleman would agree with him in thinking that the construction of such a majority showed that its inventor possessed great patience, power, and statesmanship; and that it was likely to last for many years, notwithstanding the amiable efforts made on the other side of the House to dislodge it from the position it held.

Mr. MUNDELLA said, he thought the hon. Gentleman who had just sat down dwelt too much on the generosity of Conservative Members in withdrawing their Notices of Motion to make way for the Motion of his hon. Friend the Member for Hackney; whereas the fact was their own Notices were so low down on the Paper that there was not any possibility of their being brought on. The right hon. Gentleman the Chancellor of the Exchequer had referred to the proposal of his hon. Friend the Member for Hackney as a Vote of Censure upon the Government. In its present form the Motion might be so described; but it was only just to his hon. Friend to say that he had endeavoured to induce the Government to give an opportunity for discussing a proposal which, instead of censuring the Government, would have given the House an opportunity of reconsidering the whole question. It was only at the last moment, and with great regret, that his hon. Friend was compelled to alter the terms of his Motion in order to give it some kind of urgency and to force it upon the attention of the Government. The Prime Minister had declined to give facilities for the discussion of the Motion of his hon. Friend, on the ground that it had been laid before Parliament by a Gentleman whom he chose to describe as an "irresponsible Member of the House." It was certainly new to him to hear it stated that any Member of the House was an irresponsible Member, and he was at a loss to know what was the new rule under which private Members were to be treated with contempt. The right hon. Gentleman in his own Parliamentary experience must have known of Governments being turned out of office on Motions brought forward by those whom he was pleased to call irresponsible Members. His hon. and learned Colleague (Mr. Roebuck), an irresponsible Member, had brought forward a Motion on which a Government had been turned out of Office. The late Mr. Joseph Hume had done the same thing; and the noble Marquess when an irresponsible Member had on a Motion of his turned out a Government of which the right hon. Gentleman himself had been a Member. All that was now asked was a short delay, and he could not see where was the urgency for the Proclamation. Besides, the House should recollect that this was a question which did not concern the people of England. By them it was regarded with disdain and disgust. It did, however, interest the people of India, and it was only now they were beginning to learn what was the opinion in respect to it, and he was sure if hon. Members opposite were only true to the principles they expressed in the Lobby the Bill would never have passed into law. ["Oh, oh!"] He repeated that it was a surprise to him that, knowing what were the real opinions of the Conservative Members of the House, they had not been more faithful to themselves, and voted against the Bill. By doing so they would have spared themselves much humiliation, and it was, therefore, in order to give them an opportunity of re-considering the subject that he thought some further opportunity should be given for discussing this question.

Lord ELCHO: The hon. Gentleman opposite who has just spoken has only followed the lead of the late Prime Minister when he assumed that the Members on the opposite side of the House had voted conscientiously with reference to this question, while those on this side have not. Now, Sir, the question is whether the Motion of the hon. Member for Hackney is intended for a Vote of Censure or not. I can only say that when the hon. Member for Hackney was speaking I sat near to him, and although from the interruptions it was difficult to hear his remarks, I certainly understood him to say that he had specially drawn his Motion as one of censure, and therefore whatever his original intention was the Motion as framed was a Vote of Censure on the Government. The Prime Minister said that if the noble Lord the Leader of the Opposition wished to move a Vote of Censure he would see that he had a day placed at his disposal for that purpose; but the noble Lord did not avail himself of the offer, and here let me say that, as an independent Member, I have viewed with the greatest possible satisfaction the course which the noble Lord has taken and the way in which he has used his great influence with reference to this question. Not one single word has been used by him in the course of these somewhat excited discussions which could have given the slightest offence to, or roused in any way the susceptibilities of, the native Princes of India, and this is more than can be said of the language of some of his right hon. Friends who sit near him. He deserves credit for the example he has set to his followers, and I regret that some other right hon. Gentlemen have not thought fit to follow it. I ask the House, is it wise that any more time should be wasted in this matter? Why should we delay the progress of Public Business in order to give the hon. Member for Hackney an opportunity of making a speech, for that is now what it all comes to?

Mr. WATKIN WILLIAMS said, he should like to put a practical question to some Member of the Government with respect to this matter. The Prime Minister had told them that even after the Proclamation had been issued it would be competent to any Member to move a Resolution condemning the Government for having advised Her Majesty to issue the Proclamation. He wished to know whether, in the event of any such Resolution being carried, it would be competent to Her Majesty to issue a second Proclamation recalling or revoking the one that had been already issued, so as to take a title that would be more in accordance with the opinion of the House?

Mr. FAWCETT said, that he did not wish to put the House to the trouble of dividing; but he wished to advert to what had been said by the noble Lord (Lord Elcho) that his (Mr. Fawcett's) sole object was to censure the Government, and that it was therefore that he had brought forward the Motion. The noble Lord was perfectly well aware that this was not the case. He had brought forward his original Motion after consulting with many hon. Members of great experience in the House, and he put his Motion in such a form that he thought if the Government accepted it, it would make its acceptance easy; for he never said a word about the conduct of the Government, and simply asked the House to pass an Address to Her Majesty, praying that She would be pleased not to adopt the title of Empress of India. The Motion stood in these terms on Monday last, and he only made it more distinct and more reflecting upon the Government simply because they would not give a day for the discussion of his original Motion. He put his Motion in more drastic terms simply to avail himself of almost the only chance of obtaining a discussion on a subject which, rightly or wrongly, he conscientiously believed was of the utmost importance should be discussed.

Lord ELCHO wished to explain, with reference to what the hon. Member for Hackney had just said, that he referred not to the Motion as originally drawn, but to the Motion in its present form.

Motion, by leave, *withdrawn.*

MERCHANT SHIPPING BILL—[BILL 49.]
(*Sir Charles Adderley, Mr. Edward Stanhope.*)

COMMITTEE. [*Progress 24th April.*]

Bill *considered* in Committee.

(In the Committee.)

Clause 16 (Entry of deck cargo in official log.)

THE CHANCELLOR OF THE EXCHEQUER rose for the purpose of moving the postponement of this clause for the following reasons:—In the course of the discussion that occurred the other night on Clause 15, which related to the same subject as the present clause, that of deck cargoes, much misapprehension appeared to have prevailed among the Members of the Committee as to the purport and object of that clause, and, indeed, as to the general intention and scope of the Bill with regard to the question of deck cargoes and of the lading of vessels. He wished, therefore, before the Committee proceeded, as he hoped they would speedily do, to the consideration of the remaining clauses of the Bill, that they would carefully and candidly consider what the exact scope and intention of the Bill on these points was, and that they would thoroughly understand what the measure proposed to do and what it did not propose to do. He was also desirous of taking that opportunity of giving Notice of his intention to move, on behalf of the Government, the insertion of an additional clause in the Bill. It was necessary, in the first place, to point out that those who imagined that the two clauses having regard to deck loads and to grain cargoes were the only ones in the Bill which dealt with the dangerous stowage of cargoes altogether omitted to consider what the character of the legislation which the Government proposed was. The Government, after very mature consideration of the subject, had come to the conclusion that the proper, and, indeed, the only effective, way of dealing with this question of safe stowage was to throw as much as possible the responsibility upon the shipowner, who, after all, was the only person who could secure with certainty the safe loading of his ship. If that were the case, then what they had to look at was not an isolated clause, regulating the stowage of the cargo, but the general provisions and character of the Bill. Under the provisions of the Bill the Government took power by their surveyors to stop British ships which were improperly or excessively laden, and this covered the question of our ships going out from this country; and without any special provisions as to grain or deck cargoes, or anything else, he believed that it would be in the power, and that it would be the duty, of the officers of the Government to stop and detain any ship which on any account was improperly laden. There was also machinery provided for an appeal in cases where that power might be exercised improperly. But, in addition to the provisions in this Bill which rendered it highly penal for persons to send unseaworthy ships to sea, there was another measure before the House relating to marine insurances, which would throw upon the owners of the ship very great responsibility if they should send ships to sea in an unseaworthy state or improperly laden, and thus would render it their interest as well as their duty to be very careful in the matter, or their insurance would be void. Taking these two measures together, therefore, he thought that ample provision had been made, as regarded outward-bound British ships, for preventing the evils which had been complained of. There remained, however, to be dealt with two other classes of ships—that of foreign ships outward bound, and that of foreign ships, and in some instances British ships, inward bound. With regard to British ships carrying grain cargoes coming inwards, the Government had made certain definite propositions, which the Committee had approved, and they had now to consider the question of deck loads. The latter question was a more difficult subject and required that any provisions relating to it should be expressed in the most precise and distinct terms; indeed, so difficult had this subject appeared to the House last year that it was altogether passed over in legislating on the general question. The Government, however, had endeavoured in the present Bill to deal with the matter, although he confessed that they had done so in a limited and, as had been truly said, in an imperfect manner. They had, however, endeavoured to deal with the subject, having careful regard to all the difficulties which it involved. The danger arising from deck loads was principally confined to cargoes of one particular kind, that of timber, which undoubtedly at certain seasons of the year, and on certain voyages, did involve much risk to those engaged in navigating the vessel carrying it, and the Government had to consider whether anything could be done by way of legislation to prevent life being lost through such cargoes being carried. Several hon. Members had assisted the Government in the matter by making suggestions and by proposing clauses. In the few words which he said the other night he took notice of the clause introduced by the hon. Member for Poole (Mr. Evelyn Ashley), which he then said would no doubt be discussed with his customary ability when it was brought on. It was, however, a clause of a character which could not be proposed by a private Member, for it would impose a Customs duty. There were also other objections to the clause which would have rendered it impossible for the Government to accept it as it stood, although it contained the germ of the proposal which the Government intended to adopt. He now begged to give Notice that it was the intention of the Government to propose an additional clause with regard to deck loads, and to state that such clause would apply, not only to British, but also to foreign ships. It was, however, important that any provisions affecting foreign ships should be most precise in their terms; because, although it was possible in dealing with British ships to allow a certain latitude to the Custom House and to the Board of Trade officers in exercising supervision over them, when they came to deal with foreign ships the only chance they had of being able to deal unobjectionably with them was to deal with them upon such certain proposals that the foreign shipowner should know distinctly what was prohibited and what would be the position in which he would stand when he brought his ship into one of the ports of this country. It was a serious and difficult matter how to deal with foreign ships, in consequence of the questions that might arise in connection with International Law from British shipping going into the ports of all the nations in the world, and that the same rules and laws this country might lay down for the treatment of foreign ships in our ports might be applied to British ships in foreign ports. They must, however, run the risk of having to contend with these difficulties, and not be deterred from attempting to deal satisfactorily with this important subject from fear of the lion that was always in their path. At the same time it was necessary that they should move with care and caution in a matter which vitally affected the shipping interest all over the world. The real difficulty arose in the carriage of timber across the Atlantic in the winter months coming from various ports in North America and from our own possessions. The real safeguard for the protection of life and shipping was to be found at the port of departure, where the most effective means could be taken to prevent overloading. The Dominion of Canada had studied this subject with very great care and attention, and had passed a law which was admitted to be a good and effective law on this subject. He thought it was generally admitted that timber cargoes came straight, on the whole, from Canadian ports. What Her Majesty's Government proposed, therefore, on the question was to adopt that provision of Canadian law and make it the basis of our own legislation by setting forth the substance of that law with regard to the loading of timber, and providing that any ship, British or foreign, coming into our ports with timber on deck during certain months of the year across the Atlantic should be subject to a penalty, unless that timber was laden in accordance with that law. The substance of the clause which it was intended to propose on the subject was that in the case of any ship, British or foreign, arriving at any port of the United Kingdom, and which had sailed from North America between the 1st of October and the 16th of March in any year laden with timber to a height exceeding 3 feet above the deck, the master or owner should be liable to a penalty not exceeding £5 for every 100 cubic feet of timber so carried; the whole penalty, however, not to exceed £100. The penalty might be recovered on summary conviction. There would be a certain exemption to meet the case of ships peculiarly circumstanced by damage which they might have sustained or otherwise. He thought it would be convenient to postpone the deck-load clause, No. 16, until the Committee reached the end of the Bill, when they could take up also the clause which would adopt the provision of the Canadian law with reference to cargoes of timber. He was, however, unable to place before the Committee the exact words of the clause it was intended to introduce with regard to foreign ships going outwards; but the Government thought they did see their way to make a proposal that would substantially meet the objections that were urged on a former occasion. But as it was a matter of exceeding delicacy and difficulty from its having a considerable bearing on our Treaty relations and of International Law, he would not then mention the terms of the clause which the Government had under consideration upon the subject.

Moved to postpone Clause 16.—(*Mr. Chancellor of the Exchequer.*)

Sir WILLIAM HARCOURT said, he had heard with satisfaction that, in spite of the solemn assurance given the other night by the President of the Board of Trade, enforced by the Attorney General, after all, the Government had found it possible to deal with this question of deck loading, and by a clause almost precisely in the same terms of that which was proposed two days ago by the hon. Member for South Shields (Mr. Stevenson). It was the simplest course, and the one which he had thought would have been obvious to the Government before now as the proper one, to adopt the Canadian law on the subject. There was another matter, however, on which he must ask for some further information from the Government. He had not quite gathered what was the view they had taken of the question of dealing with foreign ships generally. He should like to know whether the Government had made up their mind definitely on the policy of dealing with foreign ships on the same footing as British ships, because he ventured to say that the whole question whether this Bill was to be efficient or not depended on the decision upon that point. If they were not going to deal with foreign ships as they dealt with British ships they would drive the whole trade out of British ships into foreign ships. He had had sufficient communication with shipowners in the House to know that they would be the first to support stringent regulations in these matters, if they were assured that foreign ships were to be dealt with on the same terms, and it was the feeling that they were to be handicapped in the race which made them timid in respect of this legislation. The Chancellor of the Exchequer had said that the Government had only partly made up their minds on that subject. How they could think of introducing and passing such a Bill without having settled that which must be the capital and fundamental portion of the measure he could not understand. What had they been doing for the last 12 months that they were still considering this question, upon which everybody must see that the whole importance of the measure depended? He was astonished that the Papers which were delivered to the House yesterday with reference to this Bill had not been presented before. Those Papers showed that there was open war between the Board of Trade and the Colonial Office with reference to the vital principles and framework of this Bill. A despatch of the Minister of Marine and Fisheries of Canada expressed an opinion—he might almost say a determination—wholly inconsistent with what had been hitherto done in the Bill and what the Government proposed to do. This despatch referred to the discontent which had been caused among Canadian shipowners by recent Imperial legislation upon merchant shipping, which included Canadian ships. What Canada required was that Canadian ships, while competing in the carrying trade, should be placed in as favourable a position in British ports as foreign ships; Canadian vessels carrying grain cargoes were now liable to penalties from which foreign vessels were free, and Canadian shipowners asked that in any future Imperial legislation either Canadian ships should be treated as foreign ships, so as to be free from such restrictions, or that foreign vessels, when in ports of the United Kingdom, should be subject to the same restrictions and penalties as British ships. The latter principle had been in full operation for some time in Canada in respect of vessels loaded with grain or carrying deck cargoes. The Canadians argued that, under existing legislation, a discriminating difference was made in favour of foreign ships as against Canadian ships; and they mentioned cases in which merchants had chosen foreign in preference to British or Colonial ships for freight, on account of the certainty that no detention would arise through alleged unseaworthiness or overloading. The preference thus given to foreign ships was as unsatisfactory to Canadian as it was to British shipowners; and the Minister of Marine said that some solution of this difficulty must be found before Canadian shipowners would cease from agitation. This despatch was sent on February 8, and Lord Carnarvon forwarded it to the Board of Trade on February 26, calling attention to the very important question raised by the Canadian Government, and stating that it might become a matter for serious consideration how far Her Majesty's Government might be in a position to maintain the principle of subjecting Canadian vessels to restrictive measures from which the United States and others were to be exempted by the 15th clause. What Canada asked, in effect, was this—"Either exempt us from your Merchant Shipping Bill, or place all foreign ships on the same footing as British vessels. We shall be satisfied with either course." On the 1st of March, the Board of Trade, that great *non possumus* Department, replied in a letter signed "Edward Stanhope," showing how impossible it was to exempt Canada from the Bill, and pointing out that to do so would be practically to hoist a separate flag for Canada, and would be a first and disastrous step towards separating the interests of Canada from those of Great Britian. He quite agreed with this reasoning, and thought, with the Board of Trade, that Canadian shipowners must stand or fall with British shipowners in this matter. The Colonial Office returned to the charge in a letter to the Board of Trade of the 4th of March, saying that there was another aspect of the case which the Canadian Government appeared to have more directly in view—namely, that they would assent to whatever restrictions the Imperial Parliament might think fit to place on shipping in English ports, but they would ask that the same restrictions should be imposed on French and German vessels lying in an English dock as were placed on English and Canadian ships. A more just and reasonable proposal never was made, and it seemed that Lord Carnarvon entirely approved of it. The Board of Trade took 12 days to consider this letter, and then wrote a long reply rejecting the second alternative of the Dominion Government. When the hon. Member for Tynemouth (Mr. T. E. Smith) proposed an Amendment to this very effect, demanding on behalf of the British shipowners the same thing which the Canadian shipowners had demanded, the President of the Board of Trade got up and quoted this letter against the Amendment and defeated the proposal. They had received no intimation, however, that this was a matter in which the Government were not vitally at issue with the Canadian Government. On March 22, after many clauses of this Bill had been passed, the Board of Trade received another letter from the Colonial Office, enclosing a Resolution proposed in the Dominion Legislature. The Resolution was as follows:—

> "Mr. Palmer.—On Monday next, in Committee of the whole House, to move, 'That, in the opinion of this House, the right of legislation to affect Canadian ships and the rights and liabilities of the owners thereof, belongs exclusively to the Parliament of Canada, and that any legislation on these subjects by the Imperial Parliament, except so far as it may equally affect Canadian ships with the ships of all other countries in the ports of Great Britain, would be inconsistent with the exclusive rights of the Canadian Parliament."

Therefore, the position the Canadian Parliament took was this. They said—"We are perfectly willing that you should legislate for us and for the rest of the world. Make your own rules; but if you claim to legislate for us as British subjects, we say we have a Parliament of our own; and you must not interfere with us as British subjects, apart from legislation affecting foreign subjects also." On the 24th of March the Colonial Office, adhering to their text, as the Board of Trade did to theirs, said—"We cannot exempt Canadian ships, and we cannot include foreign ships." On the very last day on which the Government and the Board of Trade invited the House of Commons to reject the Amendment of his hon. Friend the Member for Tynemouth, there came enclosed to the Foreign Office the following extract from the Votes and Proceedings of the Dominion House of Parliament—

> "Resolved, as the opinion of this House, that any legislation affecting British merchant shipping which may be adopted by the Imperial

Parliament should not include in its operation Canadian tonnage, or if such legislation were applied to Canadian tonnage it should also include foreign tonnage, in order that no advantage should be given to the latter over the former by the effect of such Imperial legislation."

The debate to which this Resolution gave rise was adjourned on the Motion of Mr. Mackenzie. What answer, he should like to know, had been sent to Lord Dufferin, who had forwarded this extract? He thought the Committee ought to know what was the position of Canada on this matter; and what were the relations of the Imperial Government with the Government of Canada in respect to it. The Government had known for months that Canada took this view of the matter, and yet they were now going to postpone until their Report was received their determination on the vital question as to whether foreign vessels should be placed on the same footing as British shipping. They had had 12 months to consult Canada on the subject and to communicate with foreign States. He wished further to ask whether the Board of Trade had consulted the Foreign Office on the subject? They ought to have decided at first to have treated foreign ships on the same footing as English ships. Canada had done so, and no harm had come of it. The success of any Bill of such magnitude as the present must depend on its promoters having a clear view of the principles on which they intended to act. The Government talked of "retaliation," and the Board of Trade were frightened, as they always were; but he supposed Canada had a different kind of Board of Trade. The policy of Canada was a complete answer to this bugbear of retaliation, because no one had retaliated upon her for what she had done. The Government could not carry out anything, unless they had a little more boldness and pluck than they had shown on this measure. Relying on the justice of their policy, they might be sure they would only set an example which other nations would carefully follow. They had already legislated in the case of foreign emigrant ships. Every hour expended on this Bill without dealing with foreign ships was simply wasted, because there was no clause of any importance which, if it were to be applied to foreign ships, would not require to be entirely remodelled. The Government must, he ventured to say, change very much the details of this Bill if they wished to apply it to foreign ships, and it was absurd of the right hon. Gentleman opposite to suppose that it could have passed through Committee on Monday, seeing that the Government had not made up their minds on some of its most vital principles. The best thing, in his opinion, which they could do would be to re-commit the Bill to-morrow with the view of making its provisions applicable to foreign as well as to English vessels. The moment the shipping interest felt that they had been placed on a fair footing with their foreign competitors they would be found to be the strongest supporters of the measure. We had at the present moment the command of the carrying trade of the world to an extent which we had not after the battle of Trafalgar, and that House, while it was anxious to protect the seamen, had no wish to ruin the shipowner. But if restrictions were imposed on English ships, from which foreign vessels were relieved, the result would be that the English trade would be destroyed, unduly handicapped as it would be in the race. He was anxious, therefore, to hear from the Government what was the course they proposed to take in the matter, and whether they were prepared to yield to the arguments of Lord Carnarvon.

SIR CHARLES ADDERLEY retorted upon the hon. and learned Gentleman that every moment spent in arguments to induce the Government to make up their minds upon the two great questions of dealing with deck cargoes and foreign vessels, after it had been announced to the House that they had done so, was positive waste of time. Some Gentlemen were anxious to promote objects in view, and there were others who were more anxious to make speeches about them. It was clear that the hon. and learned Gentleman had prepared a speech, which was anticipated by the announcement made by the Government of their intentions; but he was nevertheless not to be deprived of the speech, though it had become absolutely unnecessary. The hon. and learned Member had said the whole Bill would have to be re-modelled if foreign ships were dealt with. He begged leave to tell the hon. and learned Member that not one single word in it need be altered in consequence of the introduction of the two clauses, which his right hon. Friend near him had promised an hour ago to bring forward, and which would only cause a further extension and application of the Bill. The hon. and learned Member had also alleged that the Government, in legislating on this subject, without dealing with foreign ships, had shown the greatest possible incapacity. The fact was that the Bill now before the Committee had been drawn exactly on the principles of measures drawn by the hon. and learned Member's own Colleagues—measures which, for three successive years, up to the advent of the present Government, they had endeavoured in vain to pass through Parliament. The difference in incapacity was that they had failed in the same undertaking. The hon. and learned Member had complained that he had been kept in the dark as to the intentions of the Government on this question. The reason why the hon. and learned Member had been kept in the dark was that last Monday was the first time he had taken any part in these debates, or begun to express any opinion on this subject. On that occasion he certainly did make a speech five times over, and almost in the same words, and after all that speech was based on a mistake as to the intention of the 15th clause, which it was meant to criticize. The hon. and learned Member took it for granted, by reference to the marginal heading simply, that that clause was prohibitory of deck loading, and his speeches proceeded on that assumption, notwithstanding that he (Sir Charles Adderley) repeatedly assured him that the clause had really no such intention. The Amendment which the hon. and learned Gentleman now undertook to move would have made absolute nonsense of this clause. He had again omitted to read the clause in hand, and as he would have amended it, it would have enacted that foreigners should report to our Customs, and in Colonies to Colonial authorities, and in foreign ports to English Consuls. One word with regard to the Correspondence quoted by the hon. and learned Member, and on which he had based a great attack upon the Government. The hon. and learned Member alleged that there was an internecine controversy between two Departments on this question. There was, in fact, no such controversy. Following the usual practice, the Colonial Office, on receiving communications from Canada about this Bill, had forwarded them to the Board of Trade, as they related to matters which came within the province of the Department, and on which their opinion was desired. The Correspondence had been produced as soon as ever it was sufficiently concluded to admit of its being presented to the House; and he had omitted no opportunity of stating to the House that such a Correspondence was going on, and that the Canadian Government resented our legislative over-interference with private mercantile shipping interests involving theirs. It was pointed out by the Canadian Legislature that there were only two ways out of the difficulty; either that the Canadians should be treated as foreigners, or that foreigners should be treated as British. The answers from the Board of Trade were, he considered, very good answers. On the first point, the hon. and learned Member had himself admitted that the letter of the Board of Trade was unanswerable; as to the second, he had not ventured to cope with the argument, and he would find it difficult to do so. It was perfectly true that the Government, when they first drafted the Bill, did not see their way to deal with foreign ships; but when the hon. and learned Member for Taunton (Sir Henry James) raised the question, they had declared their intention of adopting the evident wish of the Committee, so far as they thought they fairly and safely could. He could not bind the Government yet as to the exact form which this proposed Amendment would take; but the Committee ought, he thought, to be satisfied with the assurance given on the subject by the Chancellor of the Exchequer. The interests of our shipowners demanded that something should be done, but it would be a fatal step to do anything of the sort in a hasty or inconsiderate way. If definite proposals and mutually satisfactory arrangements could be carried out by Treaties, that would be the best way, and that he himself suggested to adopt from the proposal of the hon. Member for Liverpool at the outset. But if we were at once to assert a general jurisdiction it would not do to adopt an arbitrary, indefinite, interference with foreign shipping, or to rush into any careless and loose legislation. He implored the Committee not to proceed with a discussion which had now no point whatever, and which would be a mere waste of time. The great speech was happily delivered, and he hoped the Committee would proceed to business.

Mr. PLIMSOLL said, he did not consider the speech of the hon. and learned Member for Oxford was a waste of time. The right hon. Gentleman said that the Chancellor of the Exchequer had already stated the decision of the Government on the point at issue. What was that decision? According to it, the clause was the most impudent forgery ever offered to the House. ["Oh!"] It was a perfect counterfeit. What was wanted was to stop the practice of deck loading. The Canadian Government had already stopped it from Canada; but all that the clause proposed was, that they should stop it from Canada, where it was already stopped. No reference was made to any other places, such as Sweden, America, or the Baltic. The clause was an insult to the intelligence of the House.

The CHAIRMAN: I think the hon. Member is expressing his views in a manner not customary in this House.

Mr. PLIMSOLL withdrew any expression which was considered to be improper for the occasion.

The CHANCELLOR of the EXCHEQUER explained that what he had said had been misunderstood. The proposed clause would not be confined to Canada, but would apply to the whole of the Atlantic.

Mr. PLIMSOLL said, no doubt; but there the principle was operating already in a satisfactory manner. Why did it not apply to the Baltic and to Sweden? He would rather go to the shipowners than to the Board of Trade for justice in this matter. The proposal seemed to give something when it gave nothing whatever. When the President of the Board of Trade taunted the Members of the late Goverement with having proposed Bills similar to this Bill, he seemed to forget that the Bills were all taken from the same Mint. They would never get a good coin from that Mint. Both parties went to the permanent officials of the Board of Trade, and the Bills produced, of course, bore a family likeness. He should like to tell the Committee the result of the Canadian legislation in 1873. In that year the British ships posted as missing numbered 32, with a loss of 504 lives. In 1874, when the Act came into operation, 16 ships were missing, with a loss of 228 lives, and in 1875, when England dealt with the matter partially, the ships missing were reduced to 7, and the number of lives lost was reduced to 123. These were grain-laden British ships, and he had the satisfaction of stating that it was his firm conviction that they might wipe out this source of loss altogether by proper legislation. Canada had done so.

The CHAIRMAN reminded the Committee that the Motion before it was to postpone Clause 16.

Lord ESLINGTON said, when they were talking about Canadian legislation and thought of following it they ought to be careful in describing it. The hon. and learned Member for Oxford (Sir William Harcourt) had fallen into an error about the Canadian Act. The provisions of that Act, now in full operation, regulating the timber cargoes to this country did not apply to the timber trade to the South American ports. And why? Because they saw that there would be a very severe competition, if they did so, between the American ships trading from Boston and New York with Cuba, Demerara, and the River Plate, and that the effect of imposing those restrictions upon their own ships would lead to the handing over of the trade to their foreign competitors.

Mr. W. E. FORSTER contended that the Canadian Act did not apply merely between Canada and this country, but between Canada and Europe generally. He earnestly hoped the Government would re-consider the propriety of dealing with the Baltic as well as the Atlantic trade; for, unless it could clearly be shown that the Baltic trade was free from danger, the clause proposed would place the Atlantic trade at a most unfair disadvantage. He did not share the opinion of the President of the Board of Trade that no further information on the subject was necessary. The Committee had not yet been told the words of the clause in which foreign shipping was to be dealt with; and until they were enlightened on that most important point it would be impossible for them to discuss the details of the Bill satisfactorily. As it was, they had been very improperly kept in the dark with regard to the Canadian Correspondence.

Mr. RITCHIE also hoped that the clause would apply to the Baltic. Unless that were done the Committee would have very little satisfaction in their work. While not agreeing with all that had been said as to the conduct of this Bill, he thought the Canadian Correspondence ought to have been in the hands of Members sooner, and that for the great waste of time that had taken place in discussing the Bill no one was more responsible than the Government themselves. They had committed the mistake of introducing the Bill before they had made up their minds on the subject. Every concession had been wrung out of them bit by bit, and not a little of the blame which the Ministry had incurred was due to the permanent officials of the Board of Trade, who refused to look at things in the light of common sense.

Mr. NORWOOD said, the shipping interest had serious grounds for complaint as to the delay which had taken place in pushing forward the Bill, in consequence of the indecision of the Government. He thought it very desirable that the Committee should know the exact terms of the clause which the Government proposed to apply to foreign ships. For his own part, he felt that this was a subject which ought to be approached with considerable caution. He recollected that in 1871 and 1873 that question was not taken up by the Government of the day because they felt the extreme difficulty of it. He did not say that the time had not now come for dealing with it; but both sides of the House ought to discuss it with great caution and a large sense of responsibility. He would remind his right hon. Friend below him (Mr. Forster), that he was a Member of a former Cabinet which introduced a Bill drawn on the very lines adopted in the present measure. As to interference with foreign ships, he maintained that our interference ought to be confined to foreign ships in our ports and loading in our ports. We might legitimately adopt certain municipal regulations for the safety of life and property, and enforce them against all vessels using our ports for the purpose of loading; but he did not go so far as to lay down the doctrine that we were to interfere with the way in which cargoes were brought into British ports by foreign vessels. That would be attempting what they had no right to do, and it would be dangerous. If we did that, we might find by-and-by that British ships which had cleared out of our ports under our regulations might not be admitted into foreign ports, because some petty States wished to annoy us, or said they took a different view of these matters from ours. He, therefore, protested against any hasty decision as to interference with cargoes brought into this country in foreign bottoms. He did not think the Canadians themselves—who had been so often alluded to—took the extreme ground which some hon. Gentlemen held on that point, for their regulations only applied to cargoes loaded outwards. On the other hand, it was a crying injustice that a foreign vessel loading in our docks and competing with a British vessel lying side by side with her might load as she pleased, whereas the British vessel must be subject to those very severe regulations. That debate had been an instructive one, and he hoped it would result in a clear and definite policy on the part of the Government. Such a policy from them the shipowners of this country had a right to demand, because the Bill passed last year was only a stopgap Bill; and the Prime Minister had promised that a well-considered and comprehensive measure, which the Government had since had eight months to prepare, would be brought in this Session.

Mr. MAC IVER said, he would be sorry if the views just expressed by the hon. Member for Hull (Mr. Norwood) were accepted by the Committee as those of the general body of shipowners of this country. They were all naturally influenced by their associations, and the hon. Member for Hull was, no doubt, in friendly association with foreign houses which imported timber from the Baltic. He (Mr. Mac Iver) was in similar friendly association with British houses which imported timber from British North America, and saw the other side of the picture; and he confessed that the course of the Chancellor of the Exchequer and the President of the Board of Trade left these important questions in a most unsatisfactory state. As far as the Chancellor of the Exchequer was concerned he appeared to be in favour of the proposal of the hon. Member for Poole (Mr. Evelyn Ashley) so far as it could be practically carried out, but he (Mr. Mac Iver) could not understand the traditional policy of the Board of Trade. The President, no doubt, meant well; and every blunder he had been led into was by copying the mistakes of his Predecessors. Instead of fairly facing the difficulties and dealing with them, the Government were seeking a way which had not "a Lion in the path." There was no such way; but if they would cast aside the old policy of the Board of Trade, and come forward with a reasonable scheme for dealing equally with British ships and their foreign competitors in British ports, they would have the support of shipowners in all the great seaports in regard to any conditions necessary to attain the objects of the Bill.

Mr. SHAW LEFEVRE said, the Committee ought to have the clause before them as soon as possible. It would be impossible to discuss the question fully until they had the clause on the Paper. He thought the President of the Board of Trade had hardly dealt fairly with the House in not laying the important Correspondence from Canada sooner upon the Table. He joined with the hon. Member for Hull (Mr. Norwood) in urging prudence on the Government in dealing with foreign ships. It might be strictly within the limits of International Law to place foreign vessels loading in our ports under the same regulations as British vessels; but it would be very difficult to apply penalties to foreign ships coming to our ports for loading in foreign ports contrary to our regulations. He did not think that such a course could be sustained according to the law and practice of nations. He could not join in the censure passed upon the Board of Trade for their reluctance to apply our regulations to foreign vessels. The Board of Trade had for many years past impressed upon foreign Governments the policy of not applying their regulations to British ships, and had maintained that every country should deal with its own ships, and it was very questionable whether it was wise in the interest of our commerce to change their policy and to apply our regulations to foreign vessels. In doing so we should no longer be able to protest against foreign countries applying their regulations to our ships. The Government would have acted wisely in avoiding the question, which was one, not of saving life, but of competition. It was because the shipowners in the House had urged their views with regard to competition on the Government that they had found it necessary to deal with the question.

Mr. STEVENSON desired to impress upon Her Majesty's Government the necessity for extending their new clause to the timber trade of North Europe in the winter months, for it should not be forgotten that Canada had to compete in that trade with the Baltic. Of the three proposals on the Paper for the prevention of timber deck loads—namely, the imposition of a heavy pecuniary penalty, as proposed by the hon. Member for Poole; heavy duties, as proposed by the Government; or absolute prohibition and liability to seizure by the Customs authorities, as suggested by himself, he thought the last far the most effectual.

Mr. CHILDERS rose for two purposes, the first was to add his request to that of other hon. Members that the Government would, with as little delay as possible, lay the clause with respect to foreign ships on the Table; and the second was to state the view of the Canadian Government as to the policy of putting foreign and colonial ships on the same footing. There was an exceedingly able debate on the subject in the Canadian Parliament on the 13th of last month, while he (Mr. Childers) was at Ottawa; Members of the present Government as well as ex-Ministers, especially Mr. Smith and Mr. Mitchell, both of whom probably knew as much about the question as anyone on either side of the Atlantic, took part in it, and the feeling was absolutely unanimous of the necessity of putting colonial and foreign ships on the same footing, although there was a difference of opinion whether it would be better to except Canadian registered ships, or to apply the Act to foreign ships. The majority at Ottawa, and he was strongly of the same opinion, took the latter view; and he could only say that unless it should be adopted he looked forward with grave alarm to the consequences.

The CHANCELLOR of the EXCHEQUER said, he should be happy to promise that the clause relating to foreign ships would be laid upon the Table as soon as possible. He was anxious to explain what the Government had undertaken to do; because when they were told that every clause in the Bill would be affected by the decision which the Government might announce with regard to foreign ships, hon. Members were probably expecting something different from what the Government had promised or meant to undertake. The point really arose in the discussion on the 5th clause, when the question was raised whether the power of detention ought not to be extended to foreign ships. It was pressed on them, especially by the hon. and learned Member for Taunton (Sir Henry James), that they must, at all events, deal with the question of applying the rule of detention to foreign ships proceeding to sea after taking in cargo in British ports. He thought that was a reasonable contention; he promised that the subject should be considered, and that a clause would be brought up on the Report. It seemed at the time the promise was given that it was a reasonable and fair one. The question was, to a certain extent, new; because they had hitherto dealt with British ships only. The question that arose as to foreign ships was of a very nice and difficult character. Now, after further consideration on the subject, they had been enabled to see their way to bring forward a clause having generally the effect he had indicated—to give power to stop foreign ships having loaded in a British port and being about to proceed to sea. Then the question arose as to the precise mode in which an appeal should be given in cases of detention. [MR. SAMUDA asked if the power of detention would affect deck loading.] He considered deck loading improper loading. [MR. SAMUDA: Certainly not.] It was with regard to the loading of ships that they proposed to interfere; and with reference to the appeal to be given if a ship were detained, it might be right to provide that the Consul of the State to which the vessel belonged should have a *locus standi* on the question. They wanted carefully to draw the clause. The subject involved foreign relations and International Law, and they were not ready to put the clause on the Table at once. They were not going to propose any general assimilation of the law applicable to British and foreign ships. He did not say it might not be in future an object they should aim at—to bring foreign countries into an understanding with us on this subject, and it might be found possible to induce foreign nations to go much further than was at present indicated. At the same time, they must keep their primary object in view. He hoped, after the discussion, valuable but desultory, which had taken place they would now be able to make some progress with this Bill. This was not a matter in which the Government took any exclusive interest. The measure was desired by the House and the country, and it was not an object to gain Party triumph upon it. He would say it ought to be approached very much in the spirit in which the right hon. Member for Bradford's (Mr. Forster's) Education Bill of 1870 had been treated by those who were politically opposed to him.

SIR JOHN HAY complained that the Chancellor of the Exchequer had omitted to touch on the question raised by the hon. Member for South Shields (Mr. Stevenson) in respect to dealing with all timber-laden vessels in the same way, whether they came from Norway or from America.

MR. WILSON said, he did not think that English shipowners would be prejudiced by the overloading of foreign vessels, because excessive loading meant increased wear and tear and increased risk, and he thought we should do well to leave foreign vessels alone. Our legislation was being watched closely by Sweden and Norway; and if it commended itself to the judgment of the shipowners of those countries, there was no doubt they would readily adapt themselves to it.

MR. ASSHETON CROSS made an appeal to hon. Members on the Opposition side to let the Committee proceed to the next clause. If the discussion was not confined to the particular clause, it was most difficult to make perceptible progress with the Bill.

MR. WATKIN WILLIAMS believed that in the end it would economize time if the Government were at once made aware of the opinions of those who had studied this particular question. He sympathized with the President of the Board of Trade on his being compelled to see the Bill progress so slowly; but, at the same time, he looked on this proposal as deficient and unsatisfactory.

No measure of this sort could be satisfactory unless it proceeded on the fundamental principle of putting foreign shipping on the same footing as British shipping. He would throw all sorts of difficulties and impediments in the way of foreign ships, and thus compel them, in their own interests, to adopt the principle we adopted. He believed, however, that that would be unnecessary, and that foreigners would adopt with readiness any rules for saving life which we might lay down. He would suggest that the Bill should be reprinted with the fresh clauses and adopted alterations in it, and that it should be re-committed, in order that they might consider it from this new stand-point. As a lawyer, he must confess he did not understand where they were. They had got into such a state of inextricable confusion that he did not think the House would be able to pass the Bill at all.

Mr. GOURLEY saw no difficulty in making the provisions of the Bill applicable to foreign as well as to British ships. At the present moment foreign ships in our ports were subject not only to our Imperial, but to our municipal laws. They paid our pilotage dues, light dues, and other charges; and in some ports there were municipal bye-laws to which they were subject. For instance, in some ports they were not allowed to heat pitch and tar on board; and if they broke the law they were, equally with British ships, liable to be brought before the magistrates and dealt with accordingly. Foreigners dealt with us in their ports exactly as they dealt with their own ships. If they did not wish to see the whole of the trade thrown into foreign ships instead of British, they must enact the same laws for the one as for the other.

Mr. RYLANDS complained that the loss of time over this Bill was the result of the Government not knowing its own mind, and that the way it was conducted was a public scandal. Outside it was said without hesitation that the conduct of this Bill was a perfect muddle, and that was also the opinion inside the House. To-night it had been admitted that the Government had had information in their possession which ought at once to have been laid on the Table. The President of the Board of Trade told them now that on a former occasion he had mentioned to the Committee something about it; but the right hon. Gentleman must have expressed himself so badly as to be unintelligible, or he had an audience so stupid, that it was not able to understand his meaning. The fact was that the right hon. Gentleman did not tell the House anything of a material character about this important Correspondence, and for this reason, that he had not made up his mind as to the course to be pursued respecting it. Loss of time had been referred to, but he contended that that discussion was not a loss of time. If the Government came down to the House having first made up their own minds, no loss of time would be occasioned. The Bill ought not to be pressed until it was before them in the shape in which the Government desired to have it passed. He highly approved of the suggestion of the hon. and learned Member for Denbigh (Mr. Watkin Williams), that the Bill should be re-committed and re-printed.

Sir CHARLES ADDERLEY said, that the Bill was not a muddle, for it had been fully accepted by the House. There had been scarcely any alteration yet made, but all the discussion had been engaged in rejecting Amendments, or postponing them, to be probably again rejected on Report.

Mr. PALMER strongly objected to the Bill being re-committed and re-printed. They had made considerable progress with the Bill, and might have made more if it were not for the obstructive speeches of some hon. and learned Members. He was delighted to hear from the Government the nature of the two clauses they proposed to introduce, and he hoped they would confine their legislation to the deck loading of ships crossing the Atlantic, as Nature had limited the trade in the northern seas, and the danger there was reduced to a minimum. He denied that the propositions of this Bill could be described as "muddling." They were dealing with a difficult, delicate, and intricate question, and the points raised by the legal Members had done more than anything to "muddle" the discussion. He hoped the right hon. Gentleman would persevere with a good heart in carrying the Bill through the House.

Mr. E. JENKINS contended that both the House and the Government were in a muddle with the Bill, and he thought it better that Progress should be reported and the Bill re-printed. He moved that Progress should be reported.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. E. Jenkins.*)

Mr. GORST said, it was obvious enough that hon. Gentlemen opposite did not know where they were; and perhaps he should render them a service by reminding them that the Question now before the Committee was the proposal to postpone the clause which stood next in order and proceed with the following clauses, which dealt with the load line, a point on which the question between British and foreign shipping did not arise. He was as much opposed as hon. Gentlemen opposite to any distinction being made between foreign and British ships, and when the proper time came he would enforce his opinions with the best arguments at his command, whether they were acceptable to the Government or not. At the present moment, however, considering the period of the Session, the importance of the question, and the anxiety of the public that the measure should pass, that hon. Member incurred a grave responsibility who threw obstacles in its way by moving to report Progress at 9 o'clock.

Mr. E. J. REED supported the Motion to report Progress. He should be sorry to oppose any unnecessary obstacle to the progress of the Bill; but the Government had made a very great change of policy, involving a recantation of many of their declarations on the subject, and as they were unable even to name a day when they would produce the promised clause in reference to foreign ships further discussion of the measure at this stage would be only a farce.

Mr. RATHBONE deprecated the course which hon. Members were taking in seeking to report Progress now, and suggested whether such a mode of procedure was calculated to raise the character of the House in the estimation of the country. Let the Bill be proceeded with in a business-like manner.

The CHANCELLOR of the EXCHEQUER observed that the course which hon. Members opposite were taking was not calculated to encourage the Government to meet their views. The Government had prepared the Bill as carefully as they could, and in the course of the discussions a question had been raised which was fully debated. He had since stated what the effect of the clause which the Government intended to propose would be; and it was impossible for the hon. Member, if he accepted the explanation he had given of that clause, to plead that the Committee could not discuss the clauses which related to the load line, with which the Government clause to which he had referred had nothing whatever to do, until the terms of that clause were laid before them.

Mr. E. J. REED observed, that the explanation of the right hon. Gentleman made it more desirable than ever that the Committee should have the terms of the proposed clause before them previous to their discussing the question of the load line.

Sir ANDREW LUSK opposed the Motion to report Progress. He did not wish to see this difficult subject turned into a mere Party question, and he hoped that the Committee would satisfy the expectations of the country by attempting to improve the Bill in a reasonable way, and would not content themselves by mere fault-finding.

Mr. MACDONALD supported the Motion to report Progress. He trusted the Government would consent to place the Committee in possession of what their intentions really were. He must protest against the remarks of the hon. Member for Liverpool (Mr. Rathbone) that the matters under discussion should be left to hon. Gentlemen connected with the shipping interest.

Mr. RITCHIE said, it was evident that the Government, while prepared to legislate for foreign vessels as regarded overloading, improper loading, and deck loading, were not prepared to legislate for them on the subject of the load line; and therefore he hoped that the Committee, whether it approved or disapproved the Government action, would, at all events, proceed at once to discuss the substantial question of the load line, and not waste any more time in fighting shadows.

Mr. WATKIN WILLIAMS said, he thought the observations of the Chancellor of the Exchequer were most convincing in favour of reporting Progress. The very first Amendment on the Paper was one to the effect that the provision as to a compulsory load line should be extended to foreign ships; and therefore it was absolutely necessary that the Government clause should be laid before the Committee previous to their discussing the question of the load line.

THE CHANCELLOR OF THE EXCHEQUER repeated that the Government clause did not touch the question of the load line, and therefore there was no reason why the Committee should not proceed to discuss the latter subject without further delay.

MR. MUNDELLA said, that with respect to foreign vessels the right hon. Gentleman had not shown the way in which he proposed to deal with them. The most important clauses of the Bill remained for discussion on the Report, and he thought more progress would be made if the Government would consent to re-commit the Bill, and on some futute night recommence the discussion *de novo*.

MR. RATHBONE disclaimed the imputation of acting solely in the interest of the shipowners. A very large portion of the remainder of the Bill might be proceeded with without regard to the question of foreign ships, and the shipowners generally were most anxious that the details of the measure should be proceeded with.

MR. PLIMSOLL was under great apprehension as to the propriety of proceeding further with the Bill in the present excited state of the Committee. He desired to call the attention of the Government to the fact that almost every important part of the subject had been left for consideration on the Report, the clauses relating to grain cargoes and deck loading having been postponed.

SIR CHARLES ADDERLEY observed that not one single clause of the Bill had been postponed for consideration on the Report. It was only the consideration of certain Amendments which had been postponed.

MR. E. J. REED thought that after the explanation given by the Chancellor of the Exchequer the Motion for reporting Progress should not be pressed.

MR. E. JENKINS then withdrew the Motion.

Motion, by leave, *withdrawn.*

Clause 16 *postponed.*

Deck and Load lines.

Clause 17 (Marking of deck lines).

MR. PLIMSOLL moved, in page 10, line 2, after "ships," to insert "under eighty tons register." The object of the Amendment was to extend the operation of the clause to the coasting trade as well as foreign-going ships. The Board of Trade had a Wreck Register, and year after year, in referring to the wrecks on our coasts, these remarkable words were used—

> "About half of this loss is occasioned through the unseaworthy, ill-found, and overladen state of the vessels employed in the coasting trade of Great Britain."

Since he called attention to that sentence it had been dropped out of the annual record of wrecks. During the last three years the average loss of life in the coasting trade was more than half the losses of life at sea from all other causes.

SIR CHARLES ADDERLEY said, his only doubt was whether he would not go further than the Amendment proposed, and make it 100 tons.

SIR HENRY JAMES said, the second Amendment would not go so far as the Amendment of the hon. Member for Derby.

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clause 18 (Marking of load line).

MR. PLIMSOLL moved, in page 10, line 15, after "ships," to insert "under eighty tons register."

MR. NORWOOD opposed the clause on the ground that, if adopted, it would be impossible to apply the provisions to many vessels in the Humber which were built like Dutch galliots, with high ends, but little or no freeboard amidships.

MR. MACGREGOR said, the vessels alluded to by the hon. Member for Hull were also used in Scotland, being known there as "billibhoys." The Amendment, if carried, would abolish one of the most useful species of vessels we possessed. A special exemption ought to be made in regard to that kind of craft.

MR. PLIMSOLL said, that if it were necessary to make an exception in the case of billibhoys, there could be no objection to such a course, but he thought the case was fully met by subsequent words in the clause. The Amendment was mainly intended to deal with the coasting vessels coming up from the North to London, and which were frequently overloaded.

MR. BENTINCK said, that unless there were special provisions for billyboys the clause would entail a grievous hardship upon that useful and valuable class of coasting traders.

MR. E. J. REED pointed out that the objection to the Amendment was met by the requirements of the clause that the load line should be marked where it was practicable. It would be highly objectionable to exempt billibhoys from the clause.

LORD ESLINGTON thought that on national grounds the Committee should not consent hastily to accept Amendments which would place under this enactment a class of vessels which was now the only nursery for our seamen, which, being for the most part in the hands of small owners, would be seriously affected by these restrictions, which, moreover, it was unnecessary to apply to them.

Amendment *agreed to.*

MR. T. E. SMITH moved an Amendment for the purpose of exempting billibhoys from the necessity of having a disc painted on them.

Amendment proposed, in page 10, line 16, after the words "fishing and," to insert the words "billibhoys or."—(*Mr. Eustace Smith.*)

MR. D. JENKINS opposed the Amendment, as he did not think they ought to be omitted from the operation of the clause.

SIR ANDREW LUSK said, there was a point where billibhoys might be overloaded as well as any other ship. They wished to prevent that.

SIR CHARLES ADDERLEY objected to the Amendment, because it was impossible to define what "billibhoys" were. He did not believe they were ships strictly, as they were sometimes propelled by oars.

MR. E. J. REED considered that the words of the clause were perfect as they stood, and sufficiently provided for every contingency. He hoped, therefore, the Committee would resist the Amendment.

MR. T. E. SMITH said, he attached great importance to the Amendment, and must therefore press it to a division.

Question put, "That the words 'billibhoy or' be there inserted."

The Committee *divided:*—Ayes 66; Noes 237: Majority 171.

MR. NORWOOD moved, in page 10, line 26, to leave out "intends," and insert "claims to be entitled with safety," in reference to the owner's maximum load line.

SIR CHARLES ADDERLEY preferred the word "intends," as indicating a real intention, that was the owner's extreme intention of loading.

Amendment *negatived.*

MR. PLIMSOLL moved, in page 10, line 33, after "centre," to insert, "and shall transmit a copy of such statement to the Board of Trade." His design was to check the overloading of ships, whether for long or short voyages. To take a practical instance—it was known that many vessels, laden in Spain, had to cross the Bay of Biscay heavily overladen, exposing the crew and cargo to imminent peril. According to the present regulation the owners might place the load line where they liked, and no one was entitled to alter it, though this load line was scoffed at by practical men. The load line was sometimes placed level with the deck, in derision of its being left to the owner. Practically, however, it was a system which would lead to a larger amount of overloading than before. Many shipowners who now never dreamt of overloading would mark the line as high as possible to give themselves greater freedom of action; but those ships when reloading in foreign ports would be loaded to the utmost capacity of the marked line, because the captains and agents would think they were throwing something away if the vessel was not put down to the line. An official sanction, on the contrary, would be beneficial alike to the shipowner and to the public. The latter would know that overloading was no longer practised; and the shipowner would not run any risk of being stopped at a moment when delay was most disadvantageous. It was said that no two persons could agree as to a load line; but when an officer of the Board of Trade ordered a certain amount of cargo to be taken out of a vessel which he thought overloaded he practically settled the question; and he (Mr. Plimsoll) did not think, therefore, that the course indicated by the Amendment was impracticable.

Amendment proposed,

In page 10, line 33, after the word "centre," to insert the words "and shall transmit a copy of such statement to the Board of Trade."—(*Mr. Plimsoll.*)

SIR CHARLES ADDERLEY said, there were in the Bill certain penalties imposed for such tricks as those the hon. Member for Derby said he had seen attempted. It was true that some shipowners took that jocular view of the subject when the Act of last year was passed; but when the effect of the voluntary load line was pointed out they altered their views. The voluntary record was a part of the agreement with the crew, and a serious matter of evidence in the underwriters behalf in case of loss. The hon. Member for Derby said he had seen the load line fixed in ridiculous places; but he (Sir Charles Adderley), in a visit paid last autumn to many ports, saw none. He had, besides, a Report from the officers of the Board of Trade, stationed at all the ports of England, to the effect that the load line was generally marked in a *bonâ fide* manner. He placed those Reports and his own experience against the statement of the hon. Member for Derby; and he would also add that in the opinion of the highest authorities of the Board of Trade it had led to lighter loading, and had been found practically useful. If the hon. Member's proposal were adopted the Board of Trade would be called upon to express an opinion on the part of Government upon the load line of every vessel. If they did not disapprove, they would be supposed to approve; and it being impossible for them to survey for this purpose the thousands of vessels that cleared out of our ports at all hours of the day and night, it would be difficult to exaggerate the danger of such implied approvals of all ships not actually disapproved. Besides, if the surveyors told the owner they did not like his load line, he might say he was not going to load up to it. A load line was, in fact, no test of a proper, or even a moderate loading. The hon. Member himself admitted that no two people could agree as to what in any case the load line ought to be. He had told the Associations of Lloyd's and of Liverpool that he wished to reduce the judgment of the Government surveyor to as small a margin of uncertainty as possible, and he had conferred with them as to the possibility of any rules by publishing which it would be possible to reduce that uncertainty. He found it, however, impossible to get them to agree as to any rules. Most people had a theory about a load line. Very likely the hon. Member had one. [Mr. PLIMSOLL dissented.] Well, the hon. Member was probably the only man who had given any attention to the subject who had none. Lloyd's surveyors had one, the Liverpool surveyors had another, and no doubt the Board of Trade had a third; but the three theories, when put together, did not enable any argument to be arrived at. The general principle of the Bill, and of all previous Acts on the subject, was to keep the Government out of the business of the shipowner, and to throw the responsibility of safe conduct upon the shipowner himself, the Government only interfering where they saw reason to believe that life would be endangered by any vessel going to sea. He admitted that there were great difficulties in the way of any interference at all. There were two things it was desirable that the Board of Trade should have — efficient surveyors, and rules which would make their action as uniform and as little arbitrary as possible. They had in this Bill also provided an easy appeal against the judgment of their surveyors. In certain cases a Court must decide; but in cases of mere overloading there would be an easier reference free of expense or delay. The whole of the principle of the Bill was involved in the proposal to make the Government express any opinion upon the load line, and experience had shown that the existing load line which the Bill would make permanent was practically useful and effectual.

MR. T. E. SMITH supported the Amendment, which he said was not only satisfactory to the shipowners, but would render the clause acceptable even to the hon. Member for Derby (Mr. Plimsoll). There could be no doubt that the Board of Trade had to go into these matters, and even to stop ships in order to ascertain if they were loaded above their proper load line, and all that was now asked was that the Board of Trade should state what the result of their investigations were.

LORD ESLINGTON was astonished at the discrepancy which existed between the views expressed by the hon. Member for Derby and his line of action. He expressed distrust of the Department, and yet continually proposed to throw new duties upon it. He trusted that in regard to the present clause the Board of Trade would, at any rate, remain firm to their own proposition.

Mr. NORWOOD said, that his object in the proposition which he had made with respect to the load line was not simply in the interest of the owner, but in the interests of the seaman, who ought to be placed in a position to judge of the safety of the proposed immersion, and to be able to protect himself. He entirely objected to the Amendment, which would relieve the shipowners from the responsibility which ought to attach to them.

Mr. WATKIN WILLIAMS agreed with the hon. Member for Hull, and expressed a hope that the Government would not assent to the Amendment.

Mr. MACGREGOR observed, that there had not been any difference between the opinion of the Board of Trade surveyor and that of the shipowners of Leith on the subject of the load line.

Mr. D. JENKINS said, there was no doubt that in certain trades there had been cases of overloading; but he believed that to be almost a thing of the past.

Mr. A. PEEL hoped the Government would not accept the Amendment.

Question put, "That those words be there inserted."

The Committee *divided*:—Ayes 64; Noes 197: Majority 133.

Committee report Progress; to sit again *To-morrow.*

PUBLICANS' CERTIFICATES (SCOTLAND (*re-committed*) BILL — [Bill 115.]

(*Dr. Cameron, Sir Windham Anstruther, Mr. Ramsay, Mr. Mackintosh.*)

COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

Clauses 1 to 3, inclusive, *agreed to.*

Clause 4 (Interpretation of terms).

Mr. WHITELAW moved, in page 1, line 24, after "grant," to insert—

> "But shall not apply to the rebuilding of certificated premises which have been destroyed by fire, tempest, or other unforeseen and unavoidable calamity."

Dr. CAMERON said, he would not oppose the Amendment.

Mr. MACDONALD thought the limitation proposed by the Amendment was somewhat vexatious in character. The hon. Member for Edinburgh (Mr. Cowan) had an Amendment on the same clause which he thought in every sense of the term was better calculated to promote the welfare of the trade.

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clause 5 (Refusal of new certificate by justices or magistrates to be final).

Colonel ALEXANDER proposed to amend the clause by giving the applicant for a spirit licence whose application might have been refused a right of appeal to the Licensing Committee. It would be considered one-sided justice to allow an appeal to the Committee in a case where a publican obtained his licence and refuse it to the man who failed in his application. The only answer that could be given to this proposal was that such was not the state of the law in England; but he did not regard that as a legitimate argument, for while he wished to import into Scotland all the excellences of the English law, he did not wish that what was bad in that law should be likewise adopted in Scotland.

Dr. CAMERON regretted that the hon. and gallant Member had not put his Amendment on the Paper. If adopted it would not only do away with the great principle of this Bill—which was the assimilation of the Scotch law to that of England—but it would substitute an entirely new principle. He could not see where there was any injustice. The only case of absolute refusal would be in the case of licences applied for for the first time, where the persons had no vested interest whatever, and where they appeared as disturbers of the *status quo.*

Mr. ORR EWING thought under the present law very often injustice was done to the magistrates, their decisions being upset on appeal by the quarter sessions. He thought it was absolutely necessary to have a change, and the hon. Member by the Bill constituted a new Court of Appeal. It would be a very great hardship in the magistrates of the borough or city having the power of deciding whether there should be any licence or not, for opinion in Scotland ran very high at present. There were places where the magistrates were all teetotallers, and very great injustice was done. They might depend on it that if people in a district wanted drink, no limitation of houses would prevent them obtaining it. It was necessary, in the interests of justice, that every man should have a Court of Appeal. In the present case they should not be guided by what was the law in England, and many Bills drawn on English lines had been applied to Scotland, which they very much regretted. He might, for instance, quote the Education Bill. He hoped the Amendment would be agreed to, in the interests of the people and the publicans of Scotland.

Mr. MARK STEWART thought if the Amendment were carried, one of the main principles of the Bill would be lost.

Mr. ASSHETON CROSS was not going into the question at the present moment; but he desired simply to state that he regretted very much that his hon. and gallant Friend (Colonel Alexander) had not put the Amendment on the Paper in order that the Government might have an opportunity of considering it. In order that that might be done, he moved to report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again." — (*Mr. Assheton Cross.*)

Colonel ALEXANDER, in reply to what had been said by the Secretary of State for the Home Department, wished to explain that his Amendment was on the Paper originally, but that when the Bill was re-committed, he forgot to place it on the Paper again.

Dr. CAMERON thought that if the Secretary of State for the Home Department understood the scope of the Amendment, he would not consider it necessary to report Progress. The hon. and gallant Member proposed to remove the appeal from the quarter sessions to the Licensing Committee, a system which at present did not exist in England. The objection to the present system in Scotland was that it gave rise to overriding of the decisions of quarter sessions, and to a very undesirable system of canvassing. Even if one agreed with the arguments of the hon. Member for Dumbarton (Mr. Orr Ewing), it would not be within the scope of the Bill to provide what was asked by the Amendment. He trusted the right hon. Gentleman would not consider it necessary to persist in his Motion.

Mr. ASSHETON CROSS said, he was not at all objecting to the Bill. On the contrary, he should like to see it pass. At the same time, he should like to see the Amendment on the Paper, and to have the opportunity of consulting other Members about it.

Mr. R. SMYTH, taking into consideration the few chances private Members had of pushing forward their Bills, thought that, when the Committee was willing to go on with the Bill, Government ought not to interfere as the right hon. Gentleman had done.

Mr. ORR EWING said, that as the Government were giving a qualified support to this Bill, it was only right that they should have an opportunity of considering the Amendment.

Sir WILLIAM HARCOURT remarked that if the Government took upon themselves to move to report Progress, they ought to undertake to give facilities for the resumption of the discussion at another time, otherwise they would be defeating the Bill by a side-wind. He thought the suggestion a good one, that the Amendment should be withdrawn for the present, and brought up for consideration on Report.

Lord ELCHO said, he was just going to make the same suggestion. If his hon. and gallant Friend would withdraw his Amendment for the present, he (Lord Elcho) thought that would be the best course.

Mr. DALRYMPLE said, it was a very rare circumstance that a Scotch measure came up for discussion, and still rarer that a measure relating to the liquor traffic, about which there was extraordinary unanimity in Scotland, got a fair chance of being discussed. The evil system of an appeal lying to a foreign power, as it were, in many cases unconnected with the original licensing body, was well known and understood. The agreement about this Bill in Scotland was remarkable, as were also the number of Petitions in its favour, and he was heartily sorry that the Government should have interposed any delay in the passage through Committee. He would therefore join in the suggestion that the right hon. Gentleman the Home Secretary should withdraw his Motion for adjournment, and that his hon. and gallant Friend should, if he thought proper, bring up his Amendments on the Report.

Colonel ALEXANDER said, that if it met the views of the Government, he was quite willing to accept the suggestion that his Amendment should be brought up on Report. The county he represented (Ayrshire) felt a strong interest in the point he had raised, and as he had presented a Petition on the subject from the Commissioners of Supply, he had felt bound to move his Amendment.

Mr. ASSHETON CROSS, said, his objection was entirely removed by the suggestion that had been made.

Motion to report Progress, by leave, *withdrawn.*

Amendment (*Colonel Alexander*), by leave, *withdrawn.*

Clause *agreed to.*

Clauses 6 to 9, inclusive, *agreed to.*

Clause 10 (As to proceedings for confirming new certificates.)

On Motion of Dr. Cameron sub-section 3 was omitted.

Clause *agreed to.*

Clause 11 (Provisions for the case of justice or magistrate being disqualified to act as such.)

Mr. YEAMAN moved an Amendment to remove the disqualification of brewers and distillers to adjudicate as magistrates in licensing cases.

Dr. CAMERON said, he could not accept the Amendment, which would alter the present law, and would be entirely without the scope of the Bill.

Mr. YEAMAN said, sworn teetotal men were allowed to sit in Licensing Courts, while brewers, distillers, &c., were not.

Mr. ORR EWING thought the Amendment a reasonable one. What would be said to him if he proposed to prohibit declared teetotalers from acting as magistrates in licensing cases?

Dr. CAMERON said, the hon. Member did not comprehend the scope of the Bill, which simply affirmed the present state of the law. It did not make any change:—the Amendment would make a change in the law, and therefore would be beyond the scope of the Bill.

Sir WILLIAM HARCOURT said, surely they were not going to take a division on the point. If there was one thing settled in our law and practice, it was that persons pecuniarily interested in any matter should not adjudicate or vote upon it. The case of teetotalers was different; they had merely a sentimental interest, whereas the brewers and distillers had a pecuniary interest.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Clause 12 *agreed to.*

Clause 13 (Grant and confirmation of provisional certificates for new premises.)

Dr. CAMERON moved, in page 6, lines 3 and 4, to leave out "two justices of the peace for the county or two magistrates," and insert "a justice of the peace for the county or a magistrate." He explained that his object was simply to restore the provision as to the justice's certificate of character to the same position as it stood under the existing law.

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clauses 14 to 16, inclusive, *agreed to.*

Mr. WHITELAW moved, in page 7, after Clause 15, to insert the following clause:—

(Certificate holders need not attend licensing meeting unless required to do so.)

"16. Where a person holding a certificate applies for the renewal of his certificate, he need not attend in person at the meeting for granting and renewing certificates, unless he is required by the justice of the peace of the county or magistrates of the burgh, as the case may be, so to attend."

Dr. CAMERON said, he did not see that any great harm would arise from agreeing to this clause. It was virtually an embodiment of what was the law in England at present, and in any case where it might be found to work injuriously, it would be within the power of the magistrates to order publicans to attend who applied for a renewal of their licences. He understood that the Lord

Advocate desired that the clause should be inserted in the Bill, and he had therefore no objection to it.

Clause *agreed to*, and *added* to the Bill.

Schedules *agreed to.*

Bill *reported;* as amended, to be considered *To-morrow.*

METROPOLIS—HYDE PARK—THE SERPENTINE.

RESOLUTION. ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Question [4th April],

"That the mounds at present being erected on the south of the Serpentine are unsightly, and will, when planted, be detrimental to the picturesque character of Hyde Park, and ought to be removed."—(*Mr. Pease.*)

Question again proposed.

Debate *resumed.*

Mr. PEASE said, he was glad to find, as the result of the previous debate, that a great part of the mounds had already been removed; and as his object had been attained, with the permission of the House he would withdraw the Motion.

Motion, by leave, *withdrawn.*

GAME LAWS AMENDMENT (SCOTLAND) BILL—[Bill 123.]

(*Lord Elcho, Sir Graham Montgomery.*)

SECOND READING.

Order for Second Reading read.

Lord ELCHO, in moving that the Bill be now read a second time, said, in 1867 he brought in a Game Law Bill, which appeared to him, without touching the question of the poacher, to do what was necessary. It assimilated the law in England and Scotland with reference to game, and was accompanied by two other provisions—one to enable tenants who were not prevented by agreements in their leases, to destroy hares and rabbits without taking out licences, and the other to enable a tenant to obtain speedy and cheap redress in cases of dispute with the landlord through the Sheriff Court. The object of the Bill was to put tenants in the best position. The Bill and another brought in by the hon. Member for Linlithgowshire (Mr. M'Lagan) were sent to a Select Committee, who took his (Lord Elcho's) Bill as a basis of their proceedings, and amended it. The Bill now before the House was in the same shape as the Bill that passed the Select Committee, and he hoped the House would adopt it as a basis of legislation on the subject, and agree to the second reading. He proposed that it should be taken at a future stage, concurrently with the Bill of his hon. Friend.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Lord Elcho.*)

Mr. DODDS remarked that it was impossible to discuss the Bill at that hour, and moved that the debate be adjourned.

Mr. RAMSAY seconded the Motion.

Motion *agreed to.*

Debate *adjourned* till *Thursday* next.

LIVERYMEN (CITY OF LONDON).

MOTION FOR A RETURN.

Mr. JAMES moved for a Return—

"Of the number of Liverymen in the City of London entitled to vote at the election of Members of Parliament for the City of London by reason of their patrimony, servitude, or purchase in any of the Companies, arranged in the order of their respective Companies:—Name of Company. Patrimony. Purchase or Redemption. Servitude."

Mr. ASSHETON CROSS said, he had no objection himself to the Return, but he was told by the Lord Mayor that the materials did not exist for ascertaining the information required. If, however, that had been so, he supposed the Lord Mayor would have been in the House to oppose the Motion.

Motion *agreed to.*

COUNTY RATES (IRELAND) BILL.

On Motion of Mr. Butt, Bill to make better provision for the apportionment of County Rates between landlord and tenant in Ireland, *ordered* to be brought in by Mr. Butt, Mr. Downing, and Mr. Richard Smyth.

Bill *presented*, and read the first time. [Bill 138.]

House adjourned at a quarter before Two o'clock.

HOUSE OF LORDS,

Friday, 28*th April*, 1876.

MINUTES.]—Public Bills—*First Reading*—Gas and Water Orders Confirmation (Chapel-en-le-Frith, &c.)* (59); Tramways Orders Confirmation (Bristol, &c.)* (60); Tramways Order Confirmation (Wantage)* (61); Local Government Provisional Orders (Nos. 2 and 3)* (62-63).

ISLAND OF BARBADOES—REPORTED DISTURBANCES.—QUESTION.

OBSERVATIONS.

Lord BLACHFORD rose to ask the Secretary of State for the Colonies, Whether he can lay before the House information respecting the disturbances reported to be taking place in the Island of Barbadoes? The noble Lord said, their Lordships must have read both the alarming and the composing accounts which had appeared respecting the state of Barbadoes. As those accounts were so conflicting, he thought their Lordships would think him justified in asking the Government for such information as they could convey to the House with reference to the riots said to have occurred. About a week ago a telegram in these terms appeared in *The Times*—

> "Riots throughout the island. Plantation houses sacked; animals destroyed. Enormous destruction of property. Over 40 rioters shot. Troops actively employed. City threatened. Business suspended. Families seeking shipping. Rioters repeat they have Governor's sanction. Hennessy's immediate recall requisite to save Colony."

No doubt the language of that telegram had a sensational appearance, but it came from a very respectable body, the West India Committee; and it was followed by another telegram received by the Colonial Bank, in which it was stated that in the riots some 40 persons were killed and wounded, and 500 made prisoners. These, however, were in striking contrast with telegrams received concurrently by the Government, of which the first was addressed by Governor Hennessy to the Secretary for the Colonies on the 22nd instant—

> "In consequence," he said, "of a robbery in a provision ground the police fired on the mob, and one man is said to be shot. Similar events have occurred in August last and in previous years,"

Governor Hennessy went on to say—

> "In consequence of the planters' panic I have telegraphed for more troops from Jamaica, Demerara, and Trinidad."

And in a telegram of the 23rd he spoke of plunderers having been captured by the police, and stated that a proclamation had been issued announcing a Special Commission for the speedy trial of the offenders. Now, there was nothing in those telegrams from Mr. Hennessy which would have justified the statements received from the West Indian planters; but he could scarcely imagine that the Governor would have telegraphed to three other settlements for detachments of troops merely because of their panic. But, in fact, as the telegrams from the planters cooled down, those from the Governor became more alarming, and it was difficult to know what was really the case. He collected from the newspapers that the instructions given to the Governor by the Home Government were that confederation was only to be brought about by the spontaneous action of the Legislature. If that were so the Governor ought not to have taken any public steps in the matter, and still less ought he to have subjected the Legislature to any external influence. If the Governor had acted as was alleged by the West Indian planters he had taken very imprudent steps to carry out the proposed scheme of a confederation; but this it would be unfair to assume until his defence was heard through the noble Earl the Secretary for the Colonies. It would be unwise to make any lengthened remarks upon the present uncertain data at the command of the public. He could not, however, help expressing a doubt whether the policy of Government in desiring to include Barbadoes in the Confederation of the Windward Islands was a sound and wise one. On the map, Barbadoes appeared merely as one of the cluster of the Windward and the Leeward Islands. But measured by population and exports, it belonged, in truth, with Jamaica, Trinidad, and British Guiana to the larger class of West Indian Colonies, entitled by its importance to an independent Government, and capable in point of revenue of supporting one. Moreover, under the existing form of government, which he (Lord Blachford) was by no means prepared to defend in the abstract, it was so far well managed as not to require at present the same reconstitution which mismanagement had shown to be indispensable in other colonies. But this was not the question with which they had to deal at the present moment; and therefore, without going further into it, he would ask his noble Friend the Secretary of State for the Colonies to give their Lordships what information he could with respect to the existing state of things in the Island of Barbadoes.

The Earl of CARNARVON: My Lords, my noble Friend (Lord Blachford) has asked a Question which in the present state of Barbadoes it is only natural he should have asked, and which I rejoice to have an opportunity of answering in my place. My Lords, I was not aware that my noble Friend intended to enter into the question of confederation. I have no objection to discussing it, and there are one or two remarks which I will now make on it; but I rather suggest that any particular opinion on this question of confederation as a matter of policy should be suspended till I have had an opportunity of laying before the House the Papers on the subject. Those Papers will show that the idea that very great advantages would result to Barbadoes and the other Windward Islands from a system of confederation was not only mine, but the idea of the noble Earl (the Earl of Kimberley) who preceded me in the Colonial Office; and that the noble Earl (Earl Granville) who preceded him was also impressed with the difficulties which are experienced under the present system, and with the advantages which a confederation would offer: and, if my memory do not fail me, I think the germ of a confederation of the Leeward Islands will be found in a despatch of Lord Cardwell. I should be sorry to be considered as holding out that confederation is a panacea for all colonial grievances. It has its advantages; but in different colonies it represents a different policy, and may be attended with different results. In Canada it was adopted for one reason, and was followed by one result; in South Africa it would be adopted for another reason, and probably be followed by another result; and in the West India Islands it would be adopted for still a different reason and no doubt be followed by a different result. But I would like to remark that the scheme of confederation to which the Government would give their sanction in the case of those Islands is one expressly limited in its character, and which would involve no increase of financial burdens on the Barbadoes treasury and no change in that constitution to which the people of Barbadoes attach so much importance. My noble Friend must also be aware that, in giving to Governor Hennessy my sanction to introduce the matter at all, I stated in the most distinct terms that confederation must arise from the spontaneous action of the Islands themselves, and that the Government would be no party to forcing it on a reluctant Legislature or a reluctant colony. Whether confederation is objected to by the colonies is a different question from that now under consideration; but I may mention that I received a numerous deputation from an influential body, the West India Committee, which stated that, so far as the principle of confederation in the abstract, they were willing to discuss it—though I admit they had considerable objection to it. We ought to remember also that the proposal of confederation was not made by Governor Hennessy, but by Sir John Seely, who had been Attorney General, and who was much respected and had great influence in Barbadoes. That gentleman proposed that a Committee of representatives should be appointed by the various Islands to consider the question of confederation. When my noble Friend asks what is the object of a confederation with reference to Barbadoes, I may say this much without desiring to enter into the question—that, looking at the different public institutions of Barbadoes, I should be sorry to say that many of them are not susceptible of great improvement and amendment. I trust much to the enlightenment of the Legislature and the public feeling of the colony; but to say that the gaols, hospitals, lunatic asylums, and other public institutions, are not susceptible of considerable improvement would be to ignore a succession of weighty despatches from different successive Governors. Passing from confederation, I admit that the important consideration at this moment is the restoration and the maintenance of public order. To that question the attention of Parliament must necessarily be directed, and with respect to it the Government will be expected to satisfy

Parliament that they are using all due diligence. I am bound to say that we ought to make the fullest possible allowance for persons placed in the position of the Barbadoes colonists. They are outnumbered by a large population of another race, who are of a very excitable character; and in the West Indies there are many recollections, historical and otherwise, which are calculated to produce great alarm when unusual excitement is displayed by that population. I think that to deny that there has been lately a panic in Barbadoes would be to deny facts. That panic has been attended with results which might naturally have been expected to follow. At the same time, I have no doubt in my own mind that there has been a great deal of exaggeration in reports which have been transmitted to this country; and I think I cannot take a better mode of putting your Lordships in possession of the circumstances of the case and making you acquainted with the spirit in which Governor Hennessy has acted than by reading to the House a number of the telegrams which have passed between myself and him during the last three weeks. Those which I shall read by no means represent the amount of telegrams that have passed, but they are all those material to the points on which your Lordships should be informed. On the 29th of March I telegraphed—

"Representations coming from many quarters as to the great and alarming excitement arising from confederation, such as burning of canes, &c., make me anxious. Telegraph whether there is any truth in the reports. You must clearly understand that no scheme can be forced on the Colony, and you must exercise the greatest caution to prevent political agitation among the native population."

On the following day, in consequence of other communications made to me, I telegraphed—

"Fresh statements made to me to-day of very serious riot at Prospect Plantation. Death of one man, wounding of others; apprehension of dangerous disturbances through alleged Government agitation. I have permitted and can sanction no such agitation, and I trust statement is wholly unfounded. Telegraph immediately true facts of case and what steps taken."

On the 31st of March Governor Hennessy telegraphed—

"The Inspector General of Police reports to me officially that the agitation is caused entirely by the resident planters and the attorneys of absentees trying to rouse the native population against the Government. Public meetings are held, at which they attend armed with pistols. On last Tuesday they held two such meetings at St. Peter's, where they told the people to shout, 'God damn the Governor and Confederation,' and on the people replying, 'We are for the Queen and Governor,' four planters presented pistols at them. A disturbance ensuing, Edward Paris, a son of a former member of Assembly, shot a Negro. The police magistrate issued his warrant for arrest of Paris, who absconded. Warrants were also issued for the arrest of three others, who came armed and fired on the people. This prompt action on the part of the magistrate, and reward offered for the arrest of Paris, have calmed all the dangerous excitement. From the first I have prevented agitation or meetings in favour of Confederation. I only allow meetings against it, not wishing to coerce the free action of those opposed."

On the same day I received another telegram from him, which stated—

"Paris has been apprehended. The wounded Negro is alive, and no deaths have occurred. There is no foundation for alleged agitation on the part of the Government."

An interval occurred after that; and under date the 22nd of April there appeared in the papers the alarming telegram to the West India Committee to which my noble Friend has called attention. On the same day I telegraphed to Governor Hennessy—

"I have received your two telegrams respecting disturbances. The West India Committee have also given me a telegram describing affairs as being most serious, and asking for military aid to put down the disturbances. This, however, you have rightly anticipated. I greatly regret the necessity for the military, but the preservation of order is the first object. I need hardly remind you to combine firmness with temperate action. But urge earnestly on all parties to keep from political agitation, for which there is no justification after my despatches, and which must be put down firmly as being very dangerous. Keep me fully informed by telegraph."

On the same day I received a telegram from Governor Hennessy in which he described a second riot—

"In consequence of a robbery in a provision ground the police fired on the mob, and one man is said to be shot. Similar events have occurred in August last and in previous years. I am going at once to the scene of the disturbance. Have ordered the troops to the country stations to replace the police on duty."

Under the same date he sent another telegram to this effect—

"I have visited the several scenes of the disturbances; the planters are much alarmed, but the sugar works go on as usual. The police have taken 30 prisoners; the military have been posted in three parishes, but there has been no occasion for them. In consequence of the planters' panic I have telegraphed for more troops from Jamaica, Demerara, and Trinidad."

On the 23rd of April I received this telegram from the Governor—

"April 23.—Walked all through town last night, everything quiet. As tranquillity appears restored, I have, after consultation with officer in command, countermanded reinforcement from the other islands. More plunderers captured by police. Troops patrolled in rural districts, but had no necessity to act. Proclamation issued announcing Special Commission for speedy trial of offenders."

On the 24th this alarming telegram, dated Barbadoes, from Mr. Leacock, a large landed proprietor, was addressed to Messrs. Daniel—

"Whole island open rebellion. Insurgents sacking estates. Incendiarism rife; rioters insist doing Governor's will; City threatened. Country imminent danger. Crave your moral aid."

Other telegrams to the same effect, though not in such strong language, were brought under my notice, and I thought it my duty on the 25th to again communicate with Mr. Hennessy, which I did in these terms—

"Private telegrams brought here last night report continued and most serious disturbances. As that is inconsistent with your later telegrams received, telegraph immediately actual condition of affairs, and whether you are satisfied that reinforcements are unnecessary."

On the same date he sent this reply—

"Continued tranquillity, no shot fired by troops, and no white person injured by negroes. Military officers inform me that there is much exaggeration."

And on the 26th he sent this conclusion—

"No truth in the private telegrams. The Island has been quiet since Saturday. Some black troops from Jamaica, that left before my countermanding telegram, will arrive on Friday. Detachments also *en route* from Demerara, but will not be detained.

Subsequently to that there is only one other telegram to which I shall have to call attention. The Colonial Bank had telegraphed to their agents in Barbadoes for information, and the answer they received was this—

"Five hundred prisoners, 40 killed and wounded. Rioting suspended; position threatened (? threatening); confidence Governor entirely gone."

The Earl of Carnarvon

I may say as to that telegram that I understand it refers to the occurrence of the previous week, and not to any fresh violence; but even so it was serious enough, and I applied to Mr. Hennessy in a telegram of the 27th. I said—

"Private telegram reports 500 prisoners taken and 40 persons killed and wounded. Telegraph exact number of prisoners and of killed and wounded, separately, and since what day disturbances have ceased; also whether you have any apprehension of renewed outbreaks."

Within the last few hours I have received through the Secretary of State for War this telegram—

"From Colonel Sargent, Commanding Troops, Barbadoes, to the Secretary of State for War.

"The Governor has shown me telegrams from and to Lord Carnarvon. I agree with him that the black troops coming in Argus will be sufficient to relieve those requiring rest. The detachment from Demerara will only be detained here for a short time. I am happy to say I have had no necessity for calling on any of the troops to fire to present time."

And within the last half hour I have received this telegram from Governor Hennessy—

"April 28.—Disturbances ceased since Saturday; number of prisoners taken actually plundering 90; afterwards, on suspicion of rioting and having received stolen goods, 320. Killed, 1; died of wounds, 2; wounded, 16. Police fired twice. No sugar works injured. I have no apprehension of renewed outbreaks; my only anxiety is from gentlemen threatening extreme measures."

Well, my Lords, I think your Lordships will regard the telegram from Colonel Sargent, coming as it does from an independent source, as certainly re-assuring. Your Lordships will also perceive that Governor Hennessy denies that there has been any agitation on the part of the local Government, and you will further see that, according to those official telegrams, there has been a vigorous suppression of the riots, but accompanied, I should hope and believe, by very little bloodshed, and no unnecessary violence. Since that time there have been no further riots. I should be sorry to underrate any real danger that might arise. Among the West Indian population there is often a great amount of agitation—particularly at this time of the year, and any excitement in the West Indies is a matter which should always be watched with close attention by the local Government, and which calls at the hands of the Home Government for the greatest amount of precaution. I am not aware that any greater precaution could have been taken in the present case. In Barbadoes there are 600 troops and a battery of artillery, and of these 600 troops only 100 are men of the 2nd West Regiment — the remainder are White troops. Then, besides the detachments of which mention is made in the telegrams, there are 700 or 800 men and a battery of artillery in Jamaica. Furthermore, I have requested the Admiralty to strengthen the naval force of the colony in order to render additional moral force, or material force in case of emergency. There is one other point on which I wish to say a few words. Allusion has been made to some charges that have been alleged against Governor Hennessy, in this country and in the colony. The charge against the Governor is that for some reason of his own, and by some secret agency and underground methods, and in despite of instructions received from the Home Government, he has appealed to the passions of the Native population in order to put a violent and indefensible pressure on the propertied class. While my noble Friend (Lord Blachford) did not go so far as that, I think he implied that, in his opinion, Governor Hennessy had proceeded to undue lengths in the promotion of the scheme of confederation. Now, on the one hand, while a Colonial Governor, and especially a Colonial Governor in the West Indies, who exceeds the instructions given him by the Secretary of State assumes a great responsibility and commits a grand error in substituting his own unwarranted authority for the instructions of the Home Government; on the other hand, the more serious such a line of proceeding is, the greater the necessity for suspending our judgment. We ought all to remember that a Governor placed in the position of Governor of a West India Island rests on the support and confidence of the Home Government. If that support and that confidence were withdrawn, the Governor himself should be withdrawn, because he can no longer do any good service, being placed in a position which makes it absolutely impossible for him to discharge his duty. In this instance I have felt it my duty to give Governor Hennessy every opportunity for explanation, in the belief that his explanation will be satisfactory. I have asked him for an explanation; but I think from his telegrams he will have anticipated my instructions on that head, and that, consequently, his defence will shortly be in our hands. Within the last few days I have been inundated with a storm of applications demanding the recall of Governor Hennessy. These applications have been made in spoken words, in written communications, in telegrams, anonymously, and by persons giving their names—there has been literally no end of them; and I am sorry to say that from persons who from positions which they themselves have held ought to know the difficulties of a Colonial Governor in Mr. Hennessy's place, suggestions have been made to me in the strongest language for his instant recall. In the present state of my information, I should consider myself unworthy of the place I fill if I should encourage the belief that I may advise the Crown to recall Mr. Hennessy under the circumstances as they exist. For this there are two reasons. First, it is not the fashion in this country to judge anybody till a proper hearing is given him and he has had an opportunity of defending himself. My duty clearly is, to wait until I have received the explanation of the Governor and until the Papers shall have been laid before Parliament. Next, I put it to your Lordships whether in the interest of the colony itself, assuming that disturbances do exist there, and that they are as serious as they are represented to be, it would be wise to make a change in the chief Executive Officer. The late President Lincoln wisely remarked that there is nothing more foolish than to "swop horses" when you are crossing a stream. My noble Friend (Lord Blachford) alluded to certain expressions used by Mr. Hennessy in his Message to the Assembly. Now, words which would be perfectly harmless sometimes may be dangerous when spoken under particular circumstances or to particular persons. I will not say whether those expressions of Governor Hennessy's to which objection has been taken were altogether judicious—I am inclined to think that, at all events, they need explanation, and that the truth of the case requires it. I think I may say that without doing Governor Hennessy any injustice. On the other hand, I must remark that the opponents of Mr. Hennessy have not shown good taste or good judgment. A Defence Association formed on the Island has been resisting the measures of the Government, and I doubt very much whether it was judicious in that Defence Association to call together large meetings of the negroes, and to make speeches to them that might produce serious results. I think it would have been far wiser and more judicious to appeal to the Home Government, which was certain to listen to them. Instead of that, they appealed to a class of persons who are very excitable. The consequence has been that wherever these meetings have been held there disturbances have ensued. When they ask us to put out the fire on one side of the haystack, they ought not to play with lucifer matches on the other. Mr. Hennessy, on the other hand, in all his official acts has shown much moderation. He has appointed as President of the Legislative Council one of the eminent opponents of the Confederation, and as Solicitor General a gentleman who voted against it. Further, he has allowed officials in the service of the Crown to come over as delegates to this country to make representations against him. He has been exposed to repeated threats of assassination, so that he has shown moderation and coolness at the same time that he manifested vigour in suppressing the disturbances. On all these grounds the duty of the Home Government was to know no party, but to stand in an impartial position between the opposing parties; to bring about as soon and as effectively as possible the restoration of peace; and while with determination repressing the disturbances, to do this under no influences of panic, as panic in such a case must lead to occurrences which hereafter we should all lament.

The Earl of KIMBERLEY said, he was not on this occasion going into the policy of confederation, but in justice to his noble Friend the Secretary of State for the Colonies, he must say that it was he (the Earl of Kimberley) who dictated the despatch which his noble Friend had directed to be laid before the Legislature of Barbadoes. His noble Friend wrote a despatch, in which he said he agreed with him; but he thought that his noble Friend's despatch was even more cautious than his own, and guarded the Home Government against being supposed to wish to force confederation on the Local Legislature. He thought the matter was one which might be very quietly debated by that Legislature, and when he read of the commotion to which it had given rise, he thought there must be something behind the question itself to account for that excitement. At the same time, he concurred with his noble Friend that it was necessary to be extremely cautious in the matter. He was not prepared to join in any censure on the Governor in the present state of our information. He agreed with his noble Friend that nothing could be more unfair than to condemn the Governor, who had had considerable experience in the colonies, on the unsupported telegrams and verbal statements of persons who appeared to be considerably excited. Mr. Hennessy was placed in great difficulty, and it was but fair to await explanations. He had no reason to doubt that the explanation would be satisfactory, and he sincerely trusted it would be; but on the conduct of Mr. Hennessy he desired to express no opinion at present. Although the accounts might have been exaggerated, it was now certain from the despatch read by his noble Friend that considerable disturbances had occurred, in which three persons had lost their lives and 16 had been wounded, besides many prisoners taken. This being so, he agreed with his noble Friend that the present duty of the Government and of the Governor was to restore order in the Island, and not to move in any new policy until the passions of the people were thoroughly calmed, and such policy could be discussed without putting the peace of the Island in danger. Meanwhile, he would repeat that upon the question of general policy he entirely concurred with his noble Friend, and agreed also that it would be most unjust to form a judgment upon the conduct of Governor Hennessy before hearing his defence.

GAS AND WATER ORDERS CONFIRMATION (CHAPEL-EN-LE-FRITH, &c.) BILL [H.L.] (NO. 59.) A Bill for confirming certain Provisional Orders made by the Board of Trade under the "Gas and Water Works Facilities Act, 1870," relating to Chapel-en-le-Frith Gas, Cromer Gas, Hythe and Sandgate Gas, Poole Gas, Neath Water, Newbury Water, Wantage Water, Connah's Quay Gas and Water, and Flint Gas and Water: Also, TRAMWAYS ORDERS CONFIRMATION (BRISTOL, &C.) BILL [H.L.] (NO. 60.) A Bill for confirming certain Provisional Orders made by the Board of Trade under the "Tramways Act, 1870," relating to Bristol Tramways, Corsham Tramways, Landport, Southsea, and Portsea Tramways, Shepherd's Bush and Priory Road, Acton, Tramway, and Southport Tramways: And also,

TRAMWAYS ORDER CONFIRMATION (WANTAGE) BILL [H.L.] (NO. 61.) A Bill for confirming a Provisional Order made by the Board of Trade under the "Tramways Act, 1870," relating to Wantage Tramways:
Were *presented* by The Lord President; read 1ª; and *referred* to the Examiners.

House adjourned at a quarter past Six o'clock, to Monday next, a quarter before Five o'clock.

HOUSE OF COMMONS,

Friday, 28th April, 1876.

MINUTES.]—Supply—*considered in Committee* — Revenue Departments and Army Purchase Commission (Votes on Account).

Public Bills—*Second Reading*—Local Government Provisional Orders, Briton Ferry, &c. (No. 4) * [134]; Local Government Provisional Order, Skelmersdale (No. 5) * [135]; Admiralty Jurisdiction (Ireland) * [121]; Intoxicating Liquors (Licensing Law Amendment) (No. 2) [116], *debate adjourned.*

Committee—Merchant Shipping [49]—R.P.

Committee—Report—Industrial and Provident Societies * [68-139].

Considered as amended—Publicans Certificates (Scotland) * [115].

NAVY — NAVAL OFFICERS HOLDING CIVIL APPOINTMENTS.—QUESTION.

Mr. STACPOOLE asked the First Lord of the Admiralty, If he has any and what objections to produce the Returns authorizing payment of retired pay to Naval Officers holding Civil Appointments, as stated in the Notice Paper of April 6th?

Mr. HUNT, in reply, said, the Returns alluded to were the same, he believed, which the hon. Member proposed to move for that evening. He (Mr. Hunt) did not intend to produce those Returns for two reasons—first, because they asked for instructions from the Admiralty to a Departmental officer which it was not usual to produce; and secondly, it was an indirect way of obtaining the opinion of the Law Officers of the Crown, which could not be communicated.

ARMY MEDICAL DEPARTMENT—VETERINARY SURGEONS.—QUESTION.

Mr. STACPOOLE asked the Secretary of State for War, Whether he is now prepared to state what steps have been taken with reference to an assimilation in the future of the offices of the Chief of the Army Medical Department and Permanent Veterinary Surgeon, with the view of putting an end to the stagnation of promotion in Her Majesty's Veterinary Surgeon Service?

Mr. GATHORNE HARDY: Sir, Mr. Wilkinson has been 50 years in the Service, and Principal Veterinary Surgeon since 1854. His retirement is in progress, and application is on the point of being made to the Treasury for his pension. A letter has been received from him asking for a special pension on account of his long service. In the future a different tenure of Principal Veterinary Surgeon will be established.

POLICE (IRELAND)—EXTRA FORCE IN MAYO.—QUESTION.

Mr. O'CONNOR POWER asked the Chief Secretary for Ireland, If his attention has been called to the following Resolution, adopted by the Magistrates of Mayo:—

> "That, in view of the peaceful condition of the County Mayo, as shown by the calendars at assizes and quarter sessions, and by the opinion of the chairman and magistrates, we call on the Government to reduce the police force of the County to the ordinary peace establishment;"

and, if so, whether it is the intention of the Government to comply with the wishes of the magistrates expressed in the Resolution?

Sir MICHAEL HICKS-BEACH, in reply, said, that a Resolution had been received from the Grand Jury of County Mayo on the subject of the police force of that county, but its terms were not the same as those which had been read by the hon. Member; however, inquiry was now being made with regard to it, in order that the Government might decide how far it was possible for them to comply with the wish expressed in it.

EXPLOSIVES ACT, 1875 — EXPLOSION OF DYNAMITE IN SOUTH WALES.

QUESTION.

Mr. MACDONALD asked the Secretary of State for the Home Department, If his attention has been directed to the account of an explosion of dynamite which took place in a tunnel near Maesteg, near South Wales, on Friday the 21st current, by which thirteen people lost their lives; whether he has seen it stated that there was 150 lbs of dynamite in the tunnel when the explosive substance was ignited; and whether the storing of so much dynamite in such a place was not contrary to Law; and, if he will cause, or has instructed on the part of the Government, that an inquiry be made into the whole circumstances connected with the event?

Mr. ASSHETON CROSS, in reply, said, his attention had been called to the very unfortunate accident referred to; but he had no information on the subject beyond what had appeared in the public papers, therefore he would rather not give an answer as to the legality of storing such quantities of dynamite until he had ascertained the actual facts. The moment he knew that an explosion had occurred he gave instructions that an Inspector of Explosives should attend the inquest, and, if necessary, make a most searching inquiry into the facts of the case.

Mr. MACDONALD gave Notice that, after the coroner's inquest had been held, he would ask, If, considering the very extensive use of dynamite, the right hon. Gentleman would not take into consideration the propriety of bringing in a Bill for the purpose of preventing the storing of dynamite in such quantities?

ALIENS' ORDER IN COUNCIL, 1873—GIBRALTAR.—QUESTION.

Mr. O'CONNOR POWER asked the Under Secretary of State for the Colonies, If the Letter of the Right Reverend J. B. Scandella, V.A., dated Gibraltar the 31st day of January 1876, having reference to the immorality arising from the operation of the "Aliens' Order in Council, 1873," in that dependency, and addressed to the Earl of Carnarvon, has been received at the Colonial Office; and, if the statements contained in the Letter are borne out by facts; and, if so, whether Her Majesty's Government proposes to take steps to amend or repeal the Aliens' Order in Council referred to?

Mr. J. LOWTHER, in reply, said, that such a letter had been received by Lord Carnarvon from the right rev. J. B. Scandella, and had been referred by his Lordship to the new Governor of Gibraltar, Lord Napier of Magdala, for special consideration, together with the whole question of the treatment of the alien population of Gibraltar. He might state that Her Majesty's Government did not admit that the operation of the Orders in Council necessarily produced the results alleged by Dr. Scandella.

Mr. O'CONNOR POWER gave Notice that he would renew the Question on a future day.

POST OFFICE—THE GLASGOW POST OFFICE.—QUESTION.

Mr. ANDERSON asked the Postmaster General, If he can explain why the works for the new Post Office at Glasgow have been stopped; and whether it be not the fact that the city authorities have given formal notice to the Postmaster of the dangerous condition in which part of the old building has been left?

Lord JOHN MANNERS: Advices, Sir, with reference to a new Post Office at Glasgow, are now being received by the Offices of Works. The condition of the existing building has received our constant attention, and a further Report has been sent to the First Commissioner of Works by the Surveyor in Scotland, in which I understand that measures are recommended with the view of securing more complete safety.

NATIONAL EDUCATION (IRELAND)—TEACHERS' SALARIES.—QUESTION.

Captain NOLAN asked the Chief Secretary for Ireland, If he intends this Session to bring in a Bill to permit in non-contributory Unions in Ireland voluntary aid to primary education being reckoned in the same manner that rates are reckoned in contributory Unions (under the Act 38 and 39 Vic. c. 96), towards an increase of the teachers' salaries; if he will in such a Bill reckon as voluntary aid the annual value of school buildings, school furniture, and assistance in school teaching, when afforded by unsalaried persons; and, if he will state what is the present sum per head of the population contributed by the State towards education in Ireland in non-contributory Unions, and what is the sum per head in Scotland?

SIR MICHAEL HICKS-BEACH: Sir, I do not anticipate that I shall introduce a Bill this Session of the kind sketched out in the first and second paragraph of the hon. and gallant Member's Question. I also fear that I cannot supply him with the information which he asks for in the third paragraph precisely in the form which he desires, because it would be very difficult to separate the cost of administration and inspection in non-contributing Unions in Ireland from the expenditure for the same purposes in contributing Unions. But I may inform him that it appears, from the Estimates of the present year, that it is proposed that the State should contribute 2*s.* 7¼*d.* per head of the population towards public elementary education in Scotland and 2*s.* 4½*d.* per head in Ireland. It is fair to add, however, that much of the Scotch Vote is due to building grants, and must, therefore, be of an exceptional character; and that judging from the amount received by way of local contributions in Scotland during the year ending the 30th of September, 1875, and from the last Report of the Commissioners of Irish Education, it would seem probable that five times as much will be received in Scotland during the present year by way of local contributions as can be expected in Ireland.

POST OFFICE—TELEGRAPHS IN SMALL TOWNS.—QUESTION.

MR. DAVID JENKINS asked the Postmaster General, Whether he is willing to extend the hours for the transmission and receipt of telegrams until ten p.m. the earliest, in towns with a population exceeding five thousand inhabitants, inasmuch as great inconvenience is experienced by the public in consequence of the closing of Postal Telegraph Offices in our smaller towns at an early hour of the evening?

LORD JOHN MANNERS, in reply, said, except in large towns the number of messages sent out and received after 5 P.M. was not sufficient to pay for the cost of keeping the offices open until the present hour, which was almost universally 8 o'clock; and, therefore, to keep the smaller offices open until 10 o'clock would necessitate a waste of money, without any corresponding advantage to the public.

THE BARBADOES RIOTS.—QUESTION.

MR. THORNHILL asked the Under Secretary of State for the Colonies, Whether he has any further news to communicate to the House respecting the state of affairs in Barbadoes?

MR. J. LOWTHER: I will first read, with the permission of the House, a telegram received from the War Office from the officer commanding the troops at Barbadoes. It is a telegram from Colonel Sargent, commanding the troops at Barbadoes, to the Secretary of State for War, and was received on the 26th of April—

> "The Governor has shown me telegrams from and to Lord Carnarvon. I agree with him that the Black troops coming in the 'Argus' will be sufficient to relieve those requiring rest. The detachment from Demerara will only be detained here for a short time. I am happy to say I have had no necessity for calling on any of the troops to fire to the present time."

This telegram, it will be observed, is of even date with that alluded to in the House yesterday by the right hon. Gentleman the Member for Bradford. The next telegram is from Lord Carnarvon to the Governor of Barbadoes, which was despatched yesterday in consequence of the receipt of the private telegram I have just referred to. It is a telegram from Lord Carnarvon to Governor Hennessy, dated April 27—

> "Private telegram reports 500 prisoners taken and 40 persons killed and wounded. Telegraph exact number of prisoners and of killed and wounded separately, and since what day disturbances have ceased; also whether you have any apprehension of renewed outbreaks. Answer immediately."

I will now read Governor Hennessy's reply, which only reached the Colonial Office within the last half-hour, as I was on my way down to the House. It is a telegram from Governor Hennessy to Lord Carnarvon, dated April 28—

> "Disturbances ceased since Saturday. Number of prisoners taken actually plundering, 90; afterwards, on suspicion of rioting and having received stolen goods, 320; killed, 1; died of wounds, 2; wounded, 16. Police fired twice. No sugar works injured. I have no apprehension of renewed outbreaks. My only anxiety is from gentlemen threatening extreme measures."

I will only add that, on a full consideration of all the various telegrams, official and private, Her Majesty's Government see no cause for anxiety respecting the maintenance of order from the present time.

MERCANTILE MARINE—BURGLARIES AT SEA.—QUESTION.

CAPTAIN PIM asked the Under Secretary of State for the Colonies, If there is any objection to lay upon the Table of the House, Copies of the Correspondence which passed last year between the Premier of the Colony of New Zealand, the Right honourable the President of the Board of Trade, and the Colonial Office, on the subject of burglaries committed on board emigrant and passenger ships by seamen during the continuance of the voyage?

MR. J. LOWTHER, in reply, said, there was no objection.

ARMY—FORAGE ALLOWANCE.
QUESTION.

COLONEL KINGSCOTE asked the Secretary of State for War, Whether, in view of the recent change in the regulations affecting the issue of forage allowance, whereby a mounted officer is compelled to be the bonâ fide owner of the horse for which forage is drawn, it is intended to afford mounted officers some assistance in meeting this new obligation, the present rate of forage allowance not being sufficient to provide food alone, without reference to the cost of the horse, saddlery, shoeing, wages and clothing of groom, and other incidental expenses?

MR. GATHORNE HARDY: The recent Order, Sir, has no connection with the question of the insufficiency of the forage allowance. It has always been the practice of the Service for officers to provide their own equipment and keep it efficient, and the horses of mounted officers have always been regarded as part of their equipment. The recent Order merely re-establishes what prior to 1869 has always been the rule—that officers should actually keep, instead of jobbing their horses, and imposes no new obligation on them. Government provides forage for such horses, or gives the officer an allowance for that purpose, and the question of the sufficiency of that allowance is under consideration.

ARMY — LIEUTENANT COLONELS OF DEPOT BATTALIONS.—QUESTION.

COLONEL KINGSCOTE asked the Secretary of State for War, If he would explain to the House the reasons why the Lieutenant Colonels of Depôt Battalions who, previous to the abolition of purchase in the Army, paid in good faith, as was then customary, over-regulation sums of money in order to obtain promotion and employment in the Service, and who, at the time of doing so, were guaranteed by Government regulations the same rights and privileges in regard to position as the Lieutenant Colonels of Line Battalions, are to be now considered as ineligible to receive the same consideration and compensation in respect of repayment of their over-regulation money as is granted to the Lieutenant Colonels of Line Battalions; and, should no powers now exist to remove this inequality, whether he will take the necessary steps to introduce a measure which would place the Depôt Battalion Lieutenant Colonels so situated on the same footing in regard to receiving compensation as Lieutenant Colonels of the Line?

MR. GATHORNE HARDY: Sir, these questions are entirely in the hands of the Army Purchase Commission, and, as I understand, there is only evidence before them of one Lieutenant Colonelcy of a Depôt Battalion purchased by a payment in excess of regulation, and they do not think that a single transaction can constitute a custom which would warrant them in awarding over-regulation in respect of these positions generally. They further consider that, as in 1866, these appointments were made tenable for five years only, it is not probable that the officers succeeding to them would make a payment on the footing of over-regulation which they could not realize at the end of their tenure. The Commissioners are of opinion that whatever may have been the pecuniary loss to these officers by reason of their compulsory reduction prior to 1871, their position was not appreciably made worse by the abolition of Purchase, inasmuch as their chance of gratuitous restoration to full-pay had Purchase continued would have been exceedingly small. Under the circumstances, I do not contemplate any legislation on the subject.

PARLIAMENT — COMMENCEMENT OF PUBLIC BUSINESS.—QUESTION.

Mr. MONK asked the Prime Minister, Whether, in reference to the present stage of the Session and the Business of the House, he would have any objection to commence the business at a quarter-past four instead of half-past four as at present?

Mr. DISRAELI, in reply, said, that the question whether the period of the Session had arrived when Public Business might begin at a quarter past 4 o'clock instead of half-past was one to be decided by the House itself. His only object was to consult the wishes and convenience of hon. Members, and as far as the Government was concerned, there was no objection to commencing at the earlier time; but he did not wish any one to be taken by surprise by the adoption of a new arrangement, and therefore he would take an opportunity of mentioning the matter on Monday, and in the meantime hon. Members would be able to consider it.

MERCANTILE MARINE—DECISION AT THAMES POLICE COURT.—QUESTION.

Mr. BATES asked the Secretary of State for the Home Department, Whether his attention has been called to the decision of the magistrate of the Thames Police Court on Thursday in the case of the master of the ship "Locksley Hall," when the master was sentenced to twenty-one days' imprisonment for putting a seaman in irons for mutiny, the captain having asked him repeatedly to do his duty, and he having persistently refused to do so; and, also the decision in the cross action against the seaman for refusing to work, when the magistrate convicted the seaman of the offences charged against him, and sentenced him to one day's imprisonment?

Mr. ASSHETON CROSS, in reply, said, he had not had his attention called to this matter, until he received the private Notice of it from his hon. Friend. Of course, after that Notice, he would make inquiry.

SUPPLY. COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

INDIA—THE BENGAL FAMINE.—MOTION FOR A SELECT COMMITTEE.

Mr. T. E. SMITH, in rising to call attention to the Correspondence on the Bengal Famine, and to move—

> "That, in the opinion of this House, it is desirable that a Select Committee should be appointed to inquire into the circumstances of the late famine in India, and into the various systems of relief adopted,"

said, it was his full intention to have brought forward the question last Session. It might be thought by some that the question had now passed out of men's minds and had become a matter of history in which nothing practical could be done, and that it should have been discussed earlier if it were to be discussed at all; but an earlier discussion had been rendered difficult by delay in the delivery of the Papers, coupled with the pre-occupation of the time of the House; and, considering the interest which the country had shown in Indian subjects, he did not think it would be creditable to the House, nor just to that great Empire which was not represented in that House, if another Session were allowed to pass without attention being called to the enormous expenditure incurred in connection with the Famine. Having read a great deal in connection with the subject, he had observed that those whose duty it was to bring the matter under consideration had not done so. He had no idea of making a personal attack on any one, nor of showing that any one was to be blamed; but he thought the extraordinary divergences of opinion about the Famine, as to whether it had really existed at all, and the extraordinary systems of relief adopted rendered the subject one which deserved inquiry and which the House could not afford to pass over without any consideration at all. He could quote any number of statements of divergent views by men of high position, but he did not think it necessary to do so, as he was only asking for inquiry, and did not wish to commit himself to any conclusion or theory. The first question which arose was whether there was a famine at all in Bengal in the years 1873-4, and with regard to that, he would only refer to a few letters with the simple object of showing what were the opinions of persons in high official positions as to the prospective and actual measures required to meet the Famine in Bengal in 1873-4. They all remembered, no doubt, the interest which was taken, and the discussions which took place in this country, with respect to the anticipated Famine. It was agreed that, in face of so great a calamity, the laws of political economy, and the ordinary regulations adopted in similar cases, could not be held applicable in this particular instance. He would not say that there was a panic, but there was, he thought, an exaggerated idea prevalent as to its nature and extent. The correspondence led him to the conclusion that throughout a considerable portion of the country a famine existed. It was, however, not so extensive as was generally imagined. Having been in India in 1874 and having travelled over a considerable portion of the country in question, he had met a number of persons, including among them some persons who had access to the best information, who took a different view, and who argued that there never had been anything but what might be called a considerable scarcity in Bengal and the North-Western Provinces, and that anything like extravagant preparations for a famine were totally uncalled-for. Owing to the fact that the rain fell during the year 1873 at inconvenient and undesirable times, there was a deficiency of grain at a time when more was wanted, that deficiency not being peculiar to Bengal, but prevailing throughout the North-Western Provinces in an equal if not a greater degree. There was a very common idea among many people in this country that rice formed almost the sole food of the people of India, and that when a failure of the rice crop occurred the whole of their food supply was cut off. That, however, was not the case; and, in fact, it was a total mistake, for any one acquainted with the people of India must know that they used a great deal of pulses and grain of various kinds as food. These grain crops were grown subsequently to the rice crop, and they largely supplemented the staple food of the people. Sufficient importance was not attached to these grain crops, and in the Patna division, at least, roots and vegetables were also an important resource in times of scarcity. It seemed to be established, then, that the population of the affected districts were not entirely dependent upon rice for their support. They had next to consider whether there was not usually grown in the distressed districts more rice than was required for those districts, and whether in fact the exports from those places were not considerable. On this point he found from the official Papers, that the distress occurred in those parts of the country where the inhabitants were in the habit in ordinary years of producing a very considerable surplus of rice for export. The people were therefore in a better position to bear the pressure of a time of failure than were the inhabitants of countries who only grew sufficient rice for their own consumption. It was a singular fact, too, that, in spite of the failure of crop which caused so much suffering and distress, the export of rice from Bengal only fell 90,000 tons, as compared with ordinary years, while at the same time the imports of grain amounted to 450,000 tons. The existence of a class of men who entered into grain speculations should not escape notice, for the Lieutenant Governor, Sir George Campbell, was very much impressed by the fact that certain traders in one of the affected districts were carrying on an extraordinarily profitable business in carrying out contracts for the Government for the carriage of grain to Calcutta, to be thence sent down to the country; and again it was found that grain was being sent to Nepaul, to be there sold at low prices or given away, while at the same time rice was being received from Nepaul, so that a double system of export and import was carried on at the same time. It was clear that although there was a deficiency in the main article of food, other articles of food were to be had in abundance, and they might, he thought, justly conclude that there was not that great necessity for interfering with the ordinary course of trade as had been supposed. It might, however, be said that this was a special calamity, and that there was a precedent on which to proceed. One great difficulty which existed in dealing with Indian affairs generally arose from the absence of statistics; but in this case the result justified the extraordinary accuracy of the calculation which had been made by Dr. Hunter, that about 660,000 persons would have to be fed by the Government, and that the cost for six months would be something like £400,000. Looking now at all the circumstances, from the experience that had been gained, he did not doubt that an expenditure of about £2,000,000 would have met the exigencies of the occasion as effectually as did the system which had been adopted. It was a remarkable fact that the valuable information afforded by the district officers who were scattered over all parts of India was systematically ignored; a course of proceeding especially to be deplored. The impending Famine, as was to be expected, caused great excitement in this country—an excitement which he had heard had been stimulated by the machinery used in the getting up of Joint Stock Companies—that object being to send up prices in order that speculation might be successful, and the excitement was kept up by alarmist articles appearing in the newspapers. There had been laid before the House copies of numerous telegrams that passed between the India Office in London and the Viceroy of India in reference to the question. The Viceroy, who, from his position and the fact that he was on the spot, might be supposed to have had the whole matter in hand, and know more of the circumstances of the impending Famine than could be known at home, proposed the adoption of a moderate course, but it was urged upon him by the India Office to spend more money in the purchase of grain, and to take stronger measures than he really thought necessary, in order to meet the difficulty that was coming upon a part of the Empire which had been committed to his charge. The Secretary of State, it seemed, was entertaining a proposition for purchasing 950,000 tons of rice; whilst, in the end, the whole quantity bought by the Indian Government was 450,000 tons, and of this there turned out after to be a surplus of 100,000 tons. Such transactions as these would of course seriously raise the price of rice. The Secretary of State also wanted to purchase Indian corn to be sent to Calcutta. These things showed the extraordinary state of panic which existed at the India Office; and it continued after the change of Government. So matters proceeded until it became necessary in the face of actual danger to take prompt steps, and then, for what reason he had never been able to ascertain, the Viceroy departed from the course he had up to that time maintained to be the wisest. The hon. Gentleman the Member for Kirkcaldy (Sir George Campbell), who had been Lieutenant Governor of Bengal, would probably be able to give the House some information as to the state of things that existed in Bengal and the North-West Provinces at the time to which he was referring. Up to January, 1874, the state of things in the North-West Provinces and in Bengal had been very similar; but rain came, and was a considerable benefit to the country at large. When February came there was a complete change, because the rains had been more beneficial than was expected; yet the Government, notwithstanding, settled a very considerable system of relief in that country. No one could read the Papers without seeing that Lord Northbrook and Sir George Campbell were resisting the enormous estimates which were being thrust upon them by the Government, and were doing all in their power to keep them down. There were documents which showed that Sir Richard Temple, having been deputed to go down to Behar to investigate the matter, arrived at a conclusion, at the end of 24 hours, which threw over all the previous calculations as to the number of persons who would require relief, and the amount of grain that would be necessary for their nourishment during the continuance of the Famine. Sir Richard Temple's estimate was that 4,000,000 maunds of rice of 80 lbs. would be required; but that estimate was cut down by Sir George Campbell to about 1,500,000 maunds, showing that he was not affected by the panic, and that he tried to do the best he could in the way of economy. What the Lieutenant Governor got for this interference was a letter from the deputy Secretary to the Government of India, which expressed disappointment that the local officers had so long neglected the wants of the country, and which supported Sir Richard Temple in recommending that there should be 4,000,000 maunds of grain. Consequently, Sir

Richard Temple was able to carry out his system. It might have been a wise system or not, but it was a fit question for investigation as to whether the money had been rightly or wrongly expended. With regard to the steps which were taken in the North-West Provinces, the authorities there showed themselves alive to the importance of dealing with the subject, and laid down rules for relief with respect to the employment of labour, and gratuitous relief to persons incapable of labour. The principle was, that every person who could work should be obliged to work, and that those who professed to be unable to work should be placed in a position where they could not take advantage of the Government aid unless it was absolutely necessary, every care being taken that the expenses should be kept down. What, however, were the steps which were taken when the Bengal Famine was advancing to full swing? The first step which the Government took, as he had said, was to purchase grain to the extent of 450,000 tons. Of that quantity 100,000 were left, and it was impossible to say what was done with the 350,000 tons. Dr. Hunter calculated that 660,000 people would require to be fed by the Government per week on an average for six months; what was the number of people who were fed by the Government? In March the average number per week was 23,000; in June, 404,000; in August, for one week, or perhaps one day only, 750,000; and then the numbers declined steadily until in October there were only 100,000 persons who were being fed by the Government. So that Dr. Hunter's estimate was considerably above rather than below the mark; but even if 660,000 had been required to be fed for six months, their rations would only have amounted to £396,000, whilst the Government had expended £4,400,000 in the purchase of grain. Not only was food given to those who required it in the distressed districts, but people were attracted from other parts, so that they might live at the Government expense during the rainy season. Surely these facts afforded some grounds for investigation into this matter. And if the expenditure in the purchase of grain was not satisfactory, still less was the Government transport efficient. Sir Richard Temple did not appear to have formed a due estimate of the various means and facilities for transport which were at his disposal in the new circumstances with which he had to deal. One of the greatest mistakes was, that he absolutely insisted on getting all the grain on the spot before the commencement of the rains; whereas a great saving might have been effected if the grain had been kept back until Nature provided facilities for transport. Then there was the unaccountable reduction of railway fares by one half, whereby more was taken out of the pockets of the railway companies in the first place, and then out of the pockets of the Government to recoup the railway companies the guaranteed interest. He now came to perhaps the most important part of this subject—namely, the relief works. It was almost impossible to deal temperately with the relief works, the expense of which they would never know, or be able to form an estimate of the amount of gross extravagance that was practised whilst they were in operation. In Bengal the object was to get the people on the relief works, and officers who endeavoured to apply tests to the applicants got snubbed for their pains. He should have thought the course of a prudent Government would have been the opposite of that. People in parts of the country where Famine did not exist emigrated to the Famine district to be put on the relief works, because they were attracted by the rations and the high wages given there. At one time the local labourers employed on the relief works were only a tenth of those employed on them. People came in crowds to the relief works, under the idea that money was to be given away by the Government, whether the people worked or not. Little or no work was done at the relief works, people putting in an appearance simply to secure their wages. The real description of these relief works was to be found in the history of the relief works for the North-West Provinces, and Sir John Stracey found the rate of wages so high there that the works became excessively popular, and the people looked on the whole concern as a gigantic picnic. In order to get rid of the difficulty the rate of wages was reduced, upon which a considerable reduction of people attending them took place, the number of 127,000 men employed upon them in the first instance being reduced to 39,000. A very disgraceful waste of public money also took place in the advances in grain and money. The grain was distributed with a lavish hand. Anyone who wanted it was able to obtain it; at a very early period of the Famine 187,000 maunds were given away, without any certainty as to its application. The dealers abandoned the grain trade, because they were enabled to make a better thing of it by obtaining grain from the Government and selling it to the people. Seed was also distributed on loan to the ryots for seed purposes, which, according to Sir Richard Temple, would have to be repaid in 1875 and 1876 at 100 per cent increase of cost over the prices of 1874. It seemed extraordinary that the Government should have made advances of grain at such an extraordinary rate, but he doubted if the Government would receive a penny of it back. Advances of money were made in a very lavish manner. Every one who represented that he wanted money to carry out some local improvement got it, and £500,000 had been so expended without any guarantee of its being so expended. In fact, Sir Richard Temple had admitted that he could not say whether the money was expended for that purpose or not. [Lord George Hamilton: Will the hon. Member give me the reference for that?] The hon. Member, pointing out the page in the Blue Book from which he was quoting, said, that Sir Richard Temple there admitted that it was impossible to say how many persons derived assistance from the advances in question. Then, again, the expedition of Sir Richard Temple into Behar was an extraordinary proceeding, and according to his account the mules were only able to carry sufficient grain for their own consumption in going there and back, and he proceeded to say that the influx of so many men and animals into the Famine district was obviously bad policy, for they must have consumed more food than they were able to take into the country. However, they made the expedition, consumed the grain, and returned. The same extravagance was kept up after the Famine had passed away, both in the supply of grain and the employment of the people on the public works; and it was most strongly felt by men of experience that the expenditure incurred at the worst period of the Famine was not so much open to criticism as that which was continued for a considerable time after the pressure was said to have ceased, and caused a greater amount of surplus supplies to remain at the end of the Famine than was at all necessary or desirable. As by the Rules of the House he had not the right of reply, he could only try to surmise the answer which the noble Lord would give. He should, no doubt, be told that the matter would be investigated in India, that being the proper place for it to be done; but having been in India a few months after the Famine had passed over, he did not believe that a sufficiently important number of persons could be found to conduct the inquiry, because the people from the highest to the lowest were divided into "Faminists" and "anti-Faminists," and were as distinctly and clearly known as Whig and Tory in this country. Another reason for not relegating the inquiry to India was that of late years English interest in that country had greatly increased, a warm sympathy had been felt here in connection with this matter, and Englishmen had subscribed largely for the relief of the suffering. On behalf of the people both of India and England then, it was only just and sufficient that such an independent tribunal as the House of Commons should investigate this very serious expenditure. It might be said that such a course would not be respectful to the Government of India, and that it would involve a certain amount of censure on it. But such considerations as that did not prevent us from inquiring into the conduct of affairs in the Crimea and into the expenditure incurred in the Abyssinian War. Our Indian fellow-subjects were not represented in this House, and as long as the Government of India was conducted, necessarily perhaps, in the high-handed way in which it was, the people of that country had a right to require, when there was reason to suppose that their resources had been injudiciously and lavishly expended, that we should show the same zeal in inquiring into the subject as if we ourselves were immediately concerned. He, therefore, hoped the noble Lord the Under Secretary for India would give an assurance that the subject should be thoroughly investigated by a Committee of that House; and, in doing so, he would confer not only a benefit on India for the future, but give great satisfaction to the people of India at the present time. Famines in India were not exceptional, every few years they recurred, and it was not to be supposed that every 10 or 15 years Indian finances would stand an expenditure of £9,000,000 or £10,000,000. The next time there was a Famine in India there might be too great a zeal for economy and the people might die. He wished to avoid the two extremes, and from such an inquiry as he proposed we might obtain information which might be found most useful in such an emergency. He begged, in conclusion, to move the Motion of which he had given Notice.

SIR GEORGE CAMPBELL said, he agreed with the hon. Member for Tynemouth (Mr. T. E. Smith) that an inquiry into the matter was desirable, and he was so much concerned in it that he trusted the House would bear with him in the statement he desired to make. He was prepared to second the Motion that a Committee of this House should be entrusted with the investigation, although he arrived at his conclusions from a different course of reasoning than that pursued by the hon. Gentleman. He thought an inquiry of some kind was necessary in order to set at rest the doubts which existed, which had taken an extreme form in India, and were very much shared in this country, and also to arrive at some conclusion for our guidance in future cases, so as to avoid the extremes of over-provision or neglect. If an illustration of the desirability of relieving the public mind on the subject was necessary, it would be found in the speech of his hon. Friend who, having taken a great interest in the matter and having acquired a great deal of information, had indulged in a great many fallacies which it was desirable by some inquiry to remove. For himself he could say that, so far from preferring to make a one-sided statement in that House, his desire was to be, as it were, turned inside out by a competent Committee, and he believed that from that and other evidence attainable the truth might be reached and the doubts which now existed set at rest. From what he could learn, however, he was afraid the noble Lord opposite (Lord George Hamilton) was not likely to grant this Committee, and he must make the best statement he could. In making his statement he would very much prefer to confine himself to public matters, and to leave matters of a personal nature altogether out of the narrative. But he feared that was impossible. The principal facts in relation to this matter were patent to anybody who would inquire into them with a calm and equal mind. During the Famine he received great public sympathy, which was very grateful to him; but since then the public view had taken an opposite turn. Many things had been said which required an answer from him, and it had even been suggested that there never was any serious Famine at all. If that was a correct view, then he (Sir George Campbell) had been guilty of great exaggeration, and must do what he could to clear himself, he having been in the beginning very much responsible for the views put forth as to the Famine in Bengal. His experience in India with regard to Famines convinced him that grave mistakes had been committed—on the one hand, in failing to appreciate the approach of Famine, in neglecting the warnings of local officers, and trusting too much to rigid rules of political economy; and on the other, in exaggerating the extent of Famine. An illustration of the former mistake was furnished by the Orissa Famine. Yet when the mistake was found out the other extreme was gone to; after that Famine was over, enormous supplies of grain were sent in when not wanted, and great quantities of it rotted, or it was sold off at a small price. During his administration in Bengal he had occasion rather to repress than encourage appeals to the Government for aid. He had found that by a kind of re-action there was a disposition to exaggerate the symptoms of scarcity, and that money was obtained to carry on public works on the plea that Famine was approaching, whereas those Famines never came. In 1873, when the approach of Famine appeared to him to be really probable, he did not rush into the belief that a great Famine was approaching, but appreciated the necessity of careful inquiry so as to avoid alarmist measures on the one hand and neglect on the other. Besides, he was one of those who did not take a very sanguine view of the finances of India, believing that economy in their administration was highly necessary.

It was in that spirit and with these

views that he approached the probability of scarcity in 1873. He endeavoured to obtain the best possible information from the moment when the failure of the rains occurred; and in order to effect that purpose every officer in Bengal was at once set to work to furnish it. This was attended with considerable difficulty, because there were not the same means of procuring statistical information as existed in other parts of the country; and no doubt in regard to the existence of stocks of grain and other matters the information obtained was necessarily somewhat deficient. But with regard to the amount of the failure of the crop at the end of 1873, the information was in the end as complete for practical purposes as it possibly could be. Indeed, the Reports on the subject filled dozens of volumes. Coming next to the facts of the failure, he could not help observing that the hon. Member for Tynemouth appeared to think the North Western Provinces were to be taken as a standard in regard to Bengal. It was absurd, however, to say that because there was not a Famine in one country therefore there was not in the other. It would be as reasonable to say that because there was no Famine in Wales there could be none in Ireland. As the hon. Member had correctly stated, the people of different parts of India lived on different kinds of grain, and the true explanation of the Famine in Bengal which occurred in 1873-4 was this—that it was solely and distinctly a rice Famine. In the districts where the people were in the habit of subsisting on rice there was a Famine, and in the districts where they more used other grain there was not a Famine but only a certain degree of scarcity. The wet districts suffered more than the dry districts, where different kinds of crops were grown. The dry crops came to maturity. The circumstances in the two cases were totally different. In describing the nature of the failure of the crops in Bengal he would first remark that the rains were not only short, but that they failed almost entirely at the latter part of the season, when the rice crops depend entirely on seasonable rains. The failure of rain in September and October, 1873, was greater than any on record. The position in October and November was as follows:—A failure of rain had occurred to such an extent that in many parts of the country the rice crops were absolutely dead and gone. It was evident, therefore, that there must be a considerable Famine; but beyond that, they could not ascertain the probable results in those parts of the country where the crops were yet doubtful. There was, however, the gravest reason to apprehend that the Famine might have much wider limits than were at that time certain, and there was also the further fear that the winter crops could not be sown with any probability of germinating, in consequence of the dryness of the ground. He knew, however, from experience the necessity for discounting alarm, and he did so. He decided to wait and see how far the Famine would go. He exercised the greatest caution, and the event proved that he exercised it rightly, for, by the blessing of Providence, things turned out more favourably than might have been expected. What saved them to a very great extent was that the cold weather crops did germinate, and came to maturity in a way that nobody had expected. Although there was at the commencement some uncertainty as to what the extent of the Famine would be, still as the season progressed they ascertained the facts, so far as the crops were concerned, with almost absolute correctness, and he believed the statistics on that head furnished by Sir Richard Temple, although the hon. Member for Tynemouth had doubted them, were as correct as anything of the kind possibly could be. He showed that a failure of the crops to the extent of seven-eighths, five-sixths, and three-fourths occurred in an area affecting 12,000,000 of people, and that it was impossible their lives could be saved without the aid of the Government. That there was an extensive failure would be made clear, he felt satisfied, if the proposed Committee were granted, and a few gentlemen were examined before it.

The failure, then, being an undoubted fact, what was the action of the Government in dealing with it? A great deal had been said with regard to the differences of opinion on the subject between the Viceroy and himself, but those differences, he could assure the House, had been greatly exaggerated. It was true there was some difference of opinion between them on economic questions, but those differences were such as must always occur, and both the Viceroy and himself might take credit for having devoted themselves honestly to the necessities of the case, and permitted no differences of the kind he had mentioned to prevent them from working together for the common good. No doubt the Viceroy interfered more in the matter than was usually the case. Generally the carrying out of the necessary measures was left to the local Governor, but in this case, as soon as Lord Northbrook became aware of the extreme urgency of the matter, he took a large personal control over it, which was creditable to him. Still, if he was to have the credit of what was successful in the management of the matter, it was only fair he should also take his due share of any blame which might attach to any failures which might have occurred in dealing with the Famine. He might add that there was an important difference between the Viceroy and himself in regard to the export question. He (Sir George Campbell) proposed that the export of grain should be prohibited; but the Viceroy at once negatived that proposition on the ground that it was contrary to the laws of political economy and free trade. There was no argument permitted on the subject, and it involved considerations into which it was impossible to enter on the present occasion. He could only say that he entirely adhered to the opinion which he had expressed as to the prohibitions being reasonable under the circumstances. As a matter of fact the principle of free trade was not carried out to its fullest extent, for the Government took upon itself functions which the laws of political economy would not cast upon it, and, those laws having been so far violated, the only question was what form of violation was best to be done to save the lives of the people. He, for one, looked upon it as quite an unnatural proceeding that large fleets of ships carrying large quantities of grain out of the river Hooghly should be crossed by other ships bringing in large quantities of grain purchased on behalf of the Government. During the Famine some 220,000 tons of grain were exported from the Hooghly, an amount which would alone, he believed, have sufficed to keep the starving people of the starving Provinces, without any importation on the part of the Government. He maintained that the advantages of the prohibition of the export of corn would have been direct and immediate, and that by that means an enormous expenditure, as well as great derangement of trade, would have been prevented. Besides, all classes in India were agreed that exportation should be prohibited, and he was entirely unable to see that any practical evils would have resulted from that course.

He now came to the measures which had been actually taken in dealing with the Famine, and he would observe at the outset that he did not think he could be fairly accused of having exaggerated the evil in its early stages. In order to show that his statements were not extreme or unduly alarming, he would ask hon. Members to refer to the messages he sent home, and which were published in the Blue Books, from the earliest blush of the impending Famine, and from which it might be seen that he took a moderate view of the matter from the outset. What happened was this—that in the early part of the Famine he took a somewhat graver view of the danger than was taken by the Government of India; but later on the Government of India took a graver view of it than he did. They thought a greater expenditure necessary, and they were much more liberal than he considered the circumstances demanded. His original demand of credit to the amount of £500,000 was refused — the Government considering that there was at that time no clear necessity for that sum, though at the same time allowing him a wide licence. Looking to the subsequent expenditure he thought his original demand was not an excessive sum. As regarded food he asked first for 70,000 tons, and that was supplied. He asked later on for 75,000 more, and ultimately it was recommended that 200,000 tons in all should be sent to the Famine districts. That was a good deal less than half what the Government of India thought proper to send, and therefore his demands were not exorbitant. He obtained all the information he could; but in the meantime public opinion in this country was becoming excited about India, and that feeling, no doubt, influenced the Government above all things to secure the safety of the people. The orders of the Government consequently were entirely on the side of excessive liberality. In his opinion, the failure to prohibit the exportation of grain had very much to do with the excessive expenditure and provision that were gone into, as the Government felt very much the responsibility thrown on them by that refusal. Sir Richard Temple, who succeeded him as Governor of Bengal, made estimates much higher than had been made before, but considering the orders he had from the Government at home, this could hardly be matter of surprise. At the same time, he considered that he (Sir George Campbell) had better means of information than any Secretary of State could have sending orders from a distance, and that if the matter had been left to him on his responsibility, he would have managed with a much smaller supply than the Home Government thought necessary. The Government of India acted on the orders they received from home, and both the Viceroy and Sir Richard Temple did their duty in a manner which entitled them to the thanks of the country. It was true that some European gentlemen engaged in the carriage of supplies to the Famine districts made large fortunes, but that circumstance was perhaps inevitable from the excessive provision of grain which the Indian Government thought it necessary to make. By the ordinary means of transport 200,000 tons of grain, which he himself judged sufficient to meet the case, might have been distributed; but he was quite willing to admit that, if it was well to take such measures of precaution as the Government of India had done, it was necessary to provide extraordinary means of carriage. After all, there were great interests at stake, and although the expenditure might seem extravagant, yet if they were to compare famine with war, and to consider the saving of life as important as destroying it, they would find there was not so much extravagance in the management of the Bengal Famine as in the Abyssinian War, and the cost of the former was less than that of the latter. Before leaving the country in March, 1874, he made a tour through the worst of the districts, and actually saw for himself that a Famine was existing which, but for the steps taken by Government, must have resulted in acute suffering, and great loss of life. Happily that calamity had been averted, and, looking at all the circumstances of the case, it was a little hard that people should now turn round and say there was never any danger of a Famine at all.

Mr. T. E. SMITH remarked that he simply expressed a belief that the danger of Famine was confined to certain districts. He did not deny that a Famine existed.

Sir GEORGE CAMPBELL said, his observation applied to assertions made by other people, but his hon. Friend had certainly attempted to convey the impression that the danger was less serious than was generally supposed, and in fact his argument went a long way towards attenuating and minimising it. Whatever the judgment of the House and the country might now be, he must again say that he was sure, the policy apart, the energy and devotion which the Viceroy, Sir Richard Temple, and the executive officers brought to bear on their task would be universally acknowledged. A very large proportion of the officers employed were competition civilians, and no class of men could have shown greater vigour and zeal in the public service. For the excessive expenditure which had been incurred, public opinion was, perhaps, after all, most to blame. After he had left, the Government sent 458,000 tons of food—more than double what he had thought necessary. 334,000 tons were expended in various ways, and 120,000 tons remained as a surplus not needed. The facts as they now appeared seemed to justify the general concurrence of opinion that his (Sir George Campbell's) own estimates would have been sufficient to meet the Famine, and save the lives of the people. He might, perhaps, be allowed in self-justification to say that if he had been allowed to have his own way there would have been a saving of 50 per cent in the expenditure, the question of prohibiting exports apart, and if he had been allowed to prohibit the export of grain, very much more of the expense incurred would have been saved. He did not blame those who took another view of the matter; but he thought the House should be careful how they allowed public opinion in this country to run into excesses with the money of India. He had no doubt that if the disbursements on account of the Indian Famine had had to be paid by this country the

Government would not have had the smallest hesitation in granting a Committee of Inquiry. However generous they in this country might be in any matter for which they had to bear the cost, it was generally found when the bill came in that they were of a more frugal mind, and bestowed on the expenditure an amount of discussion and of criticism which might lead to greater prudence in the future. But there was no House of Commons in India, and no means of thus overhauling the accounts, and therefore he was inclined to support the present Motion for an inquiry by a Committee. It was to be remarked that the correspondence on that subject had ended without the enunciation of any general principles by the Secretary of State for their guidance in future cases. He thought they should restrain their generosity by providing only for those calamities and contingencies which were probable. If they were to provide not merely for probable but for possible contingencies, doubtless the provision which had been made in that instance was not too much. If another failure had occurred in Bengal—and certainly that was possible—they would have required all the provision which had been made. But it was not probable that there would be a second failure, and some general principle should be laid down by a central authority for their future guidance as to whether they should provide for a merely possible and extreme necessity, or only for probable contingencies. A great responsibility was thrown upon the local officials; and he felt that while they should be left free to act according to circumstances, and with a full sense of their responsibility, they should feel that so long as they did their duty they would be supported both by the Home Government and the Government of India. They should avoid going to either extreme in such cases, and he thought the Orissa Famine must be held on the one hand as an example of the evils of making no provision, and the Bengal Famine, on the other hand, as to some degree a warning against making an excessive provision.

As to the executive officers, who had undergone great privations in conducting in the hot season the campaign against famine, they had been somewhat hardly used, and their services had not been sufficiently recognized. The Government had been influenced in some degree by the feeling that the provision for the Famine had been somewhat overdone; but those executive officers, in carrying out the policy of the Government, had done their duty most nobly; and it was only right and fitting that their labours should be thoroughly appreciated and acknowledged. In India there was a feeling that this had not been done. Among a large class of officers in Bengal there existed an impression that they had been hardly dealt with for not foreseeing the approach of the Orissa Famine, and that was the origin to a great extent of what was called the Anti-Famine School referred to by the hon. Member for Tynemouth. For himself, if an inquiry should now be instituted before a Committee, he, as having had a large concern in that matter, would willingly submit himself to the fullest cross-examination, and afford every information in his power. That, he thought, would be far better than an imperfect statement made to the House by an hon. Member who, like himself, was comparatively new to public discussion, and who could not in the form of a speech put the subject before the House in so clear a light as he desired.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, it is desirable that a Select Committee be appointed to inquire into the circumstances of the late famine in India, and into the various systems of relief adopted,"—(*Mr. Eustace Smith,*)

—instead thereof.

Mr. ONSLOW said, he thought the hon. Member for Tynemouth (Mr. T. E. Smith) had done good service by bringing that question forward, because it would convince the people of India that the House of Commons recognized the services of those who had been acting in the manner described by the last speaker, while it would also show that the House took a great interest in all that affected the welfare of the population of that great dependency. At the same time, he could not support the Motion for a Committee to inquire into the circumstances of the Bengal Famine and the various systems of relief which had been adopted. It was quite out of the question that a Committee of that House, sitting thousands of miles from the scene of action, could either give any practical advice to future Viceroys, or lay down any general principle on which famines should be managed in future years. Those famines must be dealt with by the Viceroy and the officers on the spot, according to the special circumstances under which they arose, and a Famine in Orissa, for example, would be wholly different from one in the Punjab. He thought they should leave the Viceroy as much as possible to manage India; at least every Secretary of State should recognize the propriety of ruling that great country as little as possible by telegram. With reference to the extraordinary expenditure incurred for the Famine, he must say, from the telegrams received in this country at the time and the remarks made upon them, great alarm was felt both here and in India, and the Viceroy was urged to do everything that could be done to save the lives of our Indian fellow-subjects. When any great calamity occurred in India the Natives were apathetic, and the Government alone could do any practical good. That was one of our greatest difficulties in India. We had felt it in the case of the Orissa Famine, and it was a difficulty which, if not increasing, was, at any rate, not diminishing. The hon. Gentleman the Member for Kirkcaldy seemed to think that the local Government should, on the occurrence of such a calamity, be left to manage affairs itself. He (Mr. Onslow), on the other hand, thought it mattered little who was Lieutenant Governor of Bengal or the Punjab; the Viceroy should be responsible for everything that occurred, for it was to him that Parliament and the country looked. Therefore, it was imperative that the Viceroy should go into the details of every case and see that his orders were carried out. During the whole time he had been in India the hon. Gentleman the Member for Kirkcaldy had done very great service, and the Viceroy could not have found a better man to succeed him than Sir Richard Temple. The latter gentleman was a most energetic administrator, and though, perhaps, his estimates might have been a little coloured, yet it was far better he should have erred on that side, than that the Viceroy should have stinted the supply to the famine-stricken districts. We must always more or less expect the recurrence of such calamities in India. There was a great scarcity every three or four years, and a famine every six or seven years. We had gained experience by these calamities. It must be left to the officers on the spot to inform the Viceroy exactly how matters stood. We could not rely upon the Natives; we must rely only on ourselves. With respect to this particular Famine, it was easy to judge after the event. The officers connected with the famine-stricken districts gave for the time-being the best advice they could. They reported that there was a famine—there might be a very serious famine, and it was incumbent on the House and the Secretary of State for India to urge on the Viceroy the necessity of saving every life he could. For this these millions were spent, and thus Lord Northbrook had gained a great success. He could only hope, should another famine occur in that country, we might have such another Viceroy as Lord Northbrook on the spot, and two such Lieutenants as Sir George Campbell and Sir Richard Temple.

Dr. WARD said, he differed from the opinion of the hon. Gentleman opposite (Mr. Onslow), and thought that, having regard to the very great expenditure in this case, it was essential that a Committee should be appointed, and it would be strange indeed if it were refused, when the hon. Gentleman the Member for Kirkcaldy himself, who acknowledged his responsibility in the matter, had seconded the Motion. He admitted that the Viceroy should be master; but in this case the Viceroy was not master. He was urged against his own judgment by telegrams from day to day, bearing the character of haughtiness and dictation, from the Secretary of State. It was clear the expenditure in India had been trebled because there was alarm in Downing Street, for the estimate made by Sir Richard Temple was three times as great as that made by the Lieutenant Governor of Bengal, and provided for nine months, instead of only for three, without looking, as the Lieutenant Governor had done, to the prospect of the growing crops in Behar. He believed that a great deal of money had been wasted in useless expenditure, and they had the authority of Sir Richard Temple himself that £500,000 had been expended for which there was no voucher whatever. Surely here in itself was a sufficient reason for inquiry. He believed that it had been in the case of the Indian, as it had been in the case of the Irish Famine, that a considerable portion of the money intended for the relief of the people never reached them, but had in its passage been intercepted by other people. The principal allegations calling for inquiry were four—namely, that there had been excessive expenditure in the face of the best knowledge; that men were extravagantly employed on relief works; that there had been reckless advances and no returns; and that in the matter of transport, European speculators had enriched themselves at the expense of the Government, which in some cases, it was stated, had to pay twelve times as much as if there had been no panic. He believed that from the first there had been an ample supply of food for the people, but the result of the panic in Downing Street was that the price of food went up so high that, taking into account the price of transport, it cost them from £10 to £12 a-ton, and that, or the surplus of it, they had afterwards to sell at £2 15*s.* per ton. Again, when they employed the people, they gave four times the ordinary rate of wages, and the result was, that in order to gain by it, the inhabitants of districts in which there was no scarcity whatever, crowded into those where it was supposed to be, for the sake of getting the higher wages. In the same way the native carriers were induced to raise the price of transport. The strongest reason, however, for inquiry was, that India was a country of recurring famines, and it would be prudent to settle the principles on which they should be dealt with in future. It was necessary for a Committee of the House of Commons to do it, because India was divided into two parties, the Famine party and the anti-Famine party, and their partizanship rendered it difficult for them to concur in any common plan of action. For these reasons, he supported the inquiry that was asked for.

GENERAL SIR GEORGE BALFOUR said, he was in favour of the inquiry asked for by the hon. Gentleman the Member for Tynemouth (Mr. T. E. Smith), not for the purpose of bringing to light the faults and mistakes which might have been committed by men who were surrounded with difficulties at a most critical period, but with a view to the devising of means to prevent the future recurrence of famine. The amount, too, expended to meet the emergency, although it certainly was not so much as the amount stated by the hon. Member, and probably no more than £6,778,000, the sum put down in the Indian Budget, was nevertheless so great as to justify the proposal of a Committee of Inquiry, in order that it might be ascertained how far the expenditure was justified by the occasion, and whether it had been applied in the right direction and in the proper way kept under control. The great object of the inquiry, however, would be to search out, from the records, the information as to the various famines which had in the past destroyed so many millions of people in India, with a view to devise measures for the prevention of famine in the future, as far as that most desirable end could be accomplished. He had himself seen what famine was in the Madras Presidency 40 years ago, and he knew that, owing to the course which had since been adopted in the Madras Presidency, he was proud to say that the famines which occurred about every five years formerly were now almost unknown there. This was entirely traceable to the great improvement and extension of irrigation works, mainly through the efforts of that Indian benefactor, Arthur Cotton. No doubt, in Madras, scarcity was sometimes experienced, but not famine. There was a great difference between a famine and a scarcity. In both cases distress undoubtedly was caused; but a famine fell upon a whole tract of country, in a manner of which no one could have any idea who had not had practical experience. He therefore hoped that the inquiry would be granted in order that they might be enabled to determine the best mode in which they should act when the visitation came. Inquiry was required, also, for this reason—that there was great diversity of opinion among officials in India on the subject of the treatment of the Bengal Famine, and the disputes and differences which prevailed in India would be set at rest, he believed, by the Report of a Committee of the House of Commons. An important head of inquiry would be the nature of the works to be undertaken for the opening up of Bengal, in order that the mistakes, which had been formerly committed by confiding this vast and productive area to a body of zemindars, but little, if at all, interested in the development of its resources or in the well-being of the people, might be ascertained so as to enable the evils therefrom to be thereafter avoided. Another point well worthy of consideration was with respect to the powers conferred on officers in India. There could be no doubt that a conflict of authority between the Viceroy and Lieutenant Governor of Bengal had arisen, and it was very desirable to have some investigation as to the respective duties and responsibilities of these high officers. There was also another subject which well deserved attention, and that was the attempt to feed multitudes of starving men, women, and children, by giving them work in fixed localities. In his opinion it was much better that they should keep the people together in their several villages, ready to be engaged on the home works when the time came for cultivating their fields. No commissariat in the world could suffice to feed such enormous multitudes of people as any extensive famine would throw on their hands under the system recently followed of collecting large masses of people on public works. In the Bengal Famine he thought the Government had acted on the whole with great prudence and judgment; though he must say a month was wasted by the Indian Government after the hon. Member for Kirkcaldy had called attention to the marked failure in the rains, and to the famine that was threatening. The truth was that the Government of India were not fully alive to the gravity of the situation. The present occasion appeared suitable to invite attention to the great crisis which at present existed in Indian administration, and to urge the fullest investigation into every branch of the vast affairs of that country. No one who looked at the effect of the very serious losses by the depreciated exchange in silver, and on the present most unsatisfactory relations between Indian income and expenditure, could fail to be apprehensive for the future of that country, and for that reason, and for the various other reasons already stated, he asked the noble Lord opposite to assent to the appointment of a Committee, which, if properly constituted, could not fail to elicit useful information, and by their Report produce good results.

Lord GEORGE HAMILTON, in reply, said, all the hon. Gentlemen who had hitherto addressed the House had spoken in favour of the appointment of a Committee, but it appeared to him that they had answered one another. The hon. Gentleman the Member for Tynemouth (Mr. T. E. Smith), who introduced the Motion, very frankly stated why he did so. The hon. Gentleman had travelled in India, and had come in contact with a good many people who were somewhat sceptical as to the existence of the Famine in 1874. But although the hon. Gentleman did not quite share that belief, yet he adduced arguments to show that the preparations made by the Government of India to meet the emergency were on an unnecessarily large scale, and that we might have been content in Bengal with similar preparations to those which were made in the North-Western Provinces. The hon. Gentleman the Member for Kirkcaldy (Sir George Campbell), who followed, utterly demolished the greater part of the arguments brought forward by the hon. Member for Tynemouth. Speaking with an authority and experience to which he (Lord George Hamilton) could not pretend, the hon. Gentleman the Member for Kirkcaldy showed, beyond the possibility of contradiction, that there was a terrible calamity overhanging Bengal, and that if the Government had not exerted themselves there would have been a tremendous loss of life. The hon. Gentleman said there had not been a famine of similar dimensions for 100 years; in fact, since that of 1770. The hon. Gentleman stated his opinion, however, that the appointment of a Committee would be advantageous, inasmuch as it might arrive at general conclusions which might hereafter be useful. He would deal with that matter by-and-by; but, at present, he only wished to point out, as he had remarked before, that the general arguments and reasons advanced by the hon. Member for Tynemouth were entirely demolished by the hon. Gentleman who seconded his Motion. Let hon. Members remember what was the prevalent feeling at the General Election of 1874 as regarded the impending Bengal Famine. On no other question which was brought before the constituencies was there such unanimity of feeling, not only among the constituencies themselves, but also amongst the candidates, There was a general feeling of nervous apprehension that the Indian Government would not be able to contend with the approaching Famine, arising from the recollection of the recent calamity in Orissa, which had been dealt with on Malthusian principles. On that occasion nearly 1,400,000 of our fellow-subjects died of starvation. That naturally caused a revulsion of feeling which expressed itself the louder because the pending Famine was approaching the most populous part of our Indian Empire—a part which, with the exception of Barbadoes, was perhaps the most densely-populated country in the world. A similar calamity had overtaken Bengal in 1770, on which occasion it was difficult to estimate the loss of life; but there could be little doubt that it might be fairly estimated at tens of millions. Well, it was the unanimous opinion of the constituencies in 1874 that it would be a lasting shame and disgrace if such a calamity should again occur. Shortly after the General Election there was a change of Government, and his noble Friend (the Marquess of Salisbury) being appointed Secretary of State for India at once set to work to read the mass of official documents relating to the Indian Famine. In a few days his noble Friend was able to express his approval of the course which had been adopted by Lord Northbrook, from whom he differed on only one point. His noble Friend thought the surplus amount of food was not sufficient, and accordingly he directed the Indian Government to largely increase it. The estimate of the number of people to be relieved had largely increased in the previous few months and no corresponding increase in the quantity of food had been made. His noble Friend gave the instructions, because he thought there was a likelihood of the Famine lasting more than one year, and he therefore thought it advisable to increase the supply of food, deeming it better to incur some risk in expenditure of money than loss of life. With that single exception the present Secretary of State gave his support to measures which had been adopted by the previous Government. A Correspondence was carried on between his noble Friend and the Indian Government who, on the 24th of April, expressed their sincere acknowledgments of the approval, which his noble Friend had conveyed to them, of the policy that had been pursued. They concluded by stating that, though they had not considered it necessary to altogether comply with the request made by the India Office, yet they had increased the quantity of grain in order to meet the contingency contemplated by his noble Friend. When he heard the hon. Gentleman the Member for Tynemouth attacking the Secretaries of State for telegraphing from the India Office and insinuating that the Duke of Argyll had negotiated for the purchase of 950,000 tons of rice, it seemed to him that the hon. Gentleman's commercial knowledge had for the moment left him. The only object of that telegram was to convey to the Indian Government a statement which had been made to him to the effect that that quantity of rice could be procured. There was obviously a vast difference between making a statement and giving an order. He would remind the House that when Parliament met, in 1874, the subject of the Bengal Famine was referred to in the Speech from the Throne, and the Address, in reply, stated that—

> "We humbly assure your Majesty that we join in your Majesty's regret that the drought of last summer has produced scarcity amounting to actual famine in some parts of your Majesty's Indian Empire, and that we learn with satisfaction that your Majesty has directed the Governor General of India to spare no cost in striving to mitigate this terrible calamity."

This language, however, was not strong enough to meet the wishes of some hon. Members, and an Amendment was moved with respect to that passage. On the same night, he (Lord George Hamilton) introduced a Bill for a loan of £10,000,000 to be raised on account of the Famine, and he would state one fact which proved what was the state of feeling then existing in the House. The hon. and gallant Gentleman opposite the Member for Kincardine (Sir George Balfour) said that the Government ought to borrow, not £10,000,000, but £15,000,000, and that indicated what was the opinion of the House and the country. What were the facts? The Indian Government for four months previously had been investigating the subject, in order to ascertain as accurately as possible the dimensions of the impending calamity. They found that the area of the territory which had been threatened by famine amounted to 88,000 square miles, containing a population of 42,000,000. He was, however, himself soon able to inform the House that after those estimates were received, more reliable data were obtained by the Indian Government, and no serious apprehensions were entertained as to any of the districts south of the Ganges. Scarcity was, no doubt, certain to prevail there and in the North-Western Provinces; but the Famine, it was found, would be exclusively confined to the districts in Bengal, north of the Ganges, between that river and Nepaul. He stated, however, as a reason, why they should take active steps, that the population of the threatened district was the most dense in the world, not excepting Belgium; and yet in Bengal, with a population of 66,000,000, there were only two towns —Calcutta and Patna—with a population exceeding 100,000 souls, the mass of these village communities depending for their livelihood on agriculture alone. The greatest difficulty lay in the inaccessibility of this district, which was accessible only from the south, and it contained very few Government officials to cope with the impending famine. The statements made by the Secretary for India in the other House in some measure re-assured public opinion, but very great anxiety was still manifested, and for the next two months a perfect torrent of questions was showered upon him (Lord George Hamilton) with the view to see if he could give any further information as to the intentions of the Indian Government. The Government were pressed to increase their exertions and enlarge their expenditure, and that expenditure was incurred quite as much with the sanction and at the request of the House as the Government. Now what was the policy of Lord Northbrook? He saw that the Famine threatened to attain dimensions which the Indian Government unaided could not hope successfully to meet, and it was accordingly desirable not to deter private traders from assisting the Government. Lord Northbrook was of opinion that if at the commencement of the Famine he had stopped the export of rice, such a measure would, to a certain extent, have paralyzed private trade, and if this had been done it would have been very difficult to rely on private traders for assistance. One of the tests, and the greatest, of the soundness of Lord Northbrook's policy was, that he obtained a great deal more assistance from private traders than had been anticipated, and for that reason alone the preparations of the Indian Government were, as it ultimately proved, in excess of the requirements of the case. The result of the operations of Lord Northbrook was that the Indian Government obtained one of the most complete successes on record. So complete, indeed, was its success that a certain number of persons now doubted whether there was any Famine at all. Now what were the financial results of the Famine? Shortly after the Government received the Budget for 1874-5 the estimate of the Indian Famine expenditure was £6,500,000. During the past year the final accounts, which had been received within the last few days, showed that the actual expenditure had been £6,588,000, showing an excess of £88,000 over the original estimate. This calculation took no credit for the value of the Famine relief works, in which an enormous number of persons were employed, and some of which were of considerable value; but it would not be pretended, so far as the financial result was concerned, that the expenditure of £88,000 was very seriously in excess of the large outlay sanctioned by the House. A famine affected the revenue in two ways, for while the income fell off, through so large an amount of it being derived from the land revenue, the expenditure increased. Spread over three years, it appeared that there was in 1873-4 a deficit of £1,800,000; in 1874-5, a surplus of £319,000; in 1875-6, a surplus of £1,247,000; and the net result was, that on the three three years there was only a deficit of £141,000. The public works extraordinary, of course, were left out of the calculation. If the system of public works were sound, it would go on without the Famine. As the most complete success had attended the policy the House had sanctioned, he would briefly advert to the reasons which might be urged on behalf of the expenditure in Bengal contrasted with that in the North-Western Provinces. As he stated last year, no comparison could be drawn between the two cases. There never was a famine in the North-Western Provinces, but only a scarcity, while there was a very serious famine in Bengal. The success of Lord Northbrook's policy was soon demonstrated, the largest harvest known for many years was gathered in the Punjab, and nearly the whole of this surplus grain was sent down to the districts suffering from scarcity. On the other hand, Lord Northbrook sent up vast quantities of food from Calcutta, and thus there were two continuous streams of supply poured into the famine-stricken districts; one from the North-West, the result of private enterprize, another from the South-East, being the food purchased from Burmah and elsewhere by the Government. That the preparations of the Indian Government were somewhat in excess of the necessity was frankly admitted by them. The amount of grain which had been purchased was 470,000 tons; but 260,000 tons of this were stored in three districts alone, and of this 182,000 tons were consumed in September alone. The only reason why the Government efforts had been in excess of the requirements was that private trade had so much expanded itself. It should be recollected that in making preparations to deal with the Famine it was absolutely essential that the grain should be stored in certain places, and during that period of the year when transportation could go on. The measures that had been taken had not only prevented the extent of mortality which must otherwise have occurred, but the general productive power of the country had not been allowed to deteriorate, and there was no reason to believe that any demoralization had resulted from the relief that had been administered. It was necessary that the Indian Government should run a certain amount of risk in anticipating the requirements of the Famine. If they had not taken the course which they did, they would have exposed themselves to the danger of not being able to supplement the probable deficiencies of private trade. Preparations were made in excess of the Famine, but that excess was owing to circumstances which no one could have forseen. The hon. Member for Tynemouth had stated that nobody knew what became of the grain; but a book which was published in 1874 gave full and elaborate information on that subject. It stated exactly the quantity of the grain and the mode in which it was distributed. The hon. Member further said that only a very limited number of persons were in receipt of relief from the Government. Half a million, he (Lord George Hamilton) thought, was the number mentioned by the hon. Gentleman. Well, he (Lord George Hamilton) had Sir Richard Temple's Report in his hand, and he found that the number of persons who were in receipt of relief on the 15th of August was upwards of 4,000,000. Then the House had been told that the arrangements as to transport were so defective that certain persons made large fortunes out of contracts with the Government. Well, of course, they made money. Did any one suppose that any war broke out without a certain number of unscrupulous persons making profit out of the Government, and why should we expect that in a case of famine such persons would not avail themselves of the opportunity of making profit out of the Government? The hon. Gentleman also said that £500,000 had been advanced without voucher. What Sir Richard Temple said about the advance was, that he did not know how many persons derived subsistence from it, which was a very different thing from saying the money had been advanced without voucher. An hon. Gentleman said the wages paid by the Government in the Famine district were ten times higher than the wages in neighbouring parts. Ten times higher! Well, that he (Lord George Hamilton) confessed was new information to him. He had read very carefully, and more than once, all the documents relating to the Famine, and that certainly never in any way attracted his attention. The hon. Gentleman who made the Motion stated that there was a great difference of opinion on the subject of the Famine among officials, so much so, that they were divided into parties known as the Faminists and Anti-Faminists. That there was a Famine had been proved tonight beyond the possibility of contradiction by the late Lieutenant Governor of Bengal (Sir George Campbell), and until it could be proved that there had been a conspiracy between the Government of India and the Government of Bengal, and the special correspondents who were sent out as the representatives of different English newspapers, to pretend that there was a Famine, he should believe that there was a Famine, and that the Indian Government were entitled to credit for the measures they adopted with reference to it. All the data as to the failure of the crops was supplied by the district officers, and there could be no doubt as to their accuracy. He must again say, he was perfectly prepared to admit, and so would every one who had studied the question, that the preparations which were made by the Indian Government were more than sufficient; but was it possible under the circumstances to make any other preparations than those which were made? Less money might have been expended, but that was no reason why the Government should shirk their responsibility and the House appoint a Select Committee. But, in truth, what would a Committee do? The first question would be the number of witnesses to be examined, and Bengal would be left almost without any government. And when the witnesses were obtained, what would be done? It would be quite impossible to enter into all the circumstances connected with the Famine. It had been said that the inquiry might lead to the laying down of some general principle which might be useful hereafter. The Continent of India was nearly equal to the Continent of Europe, with the exception of Russia, and there was not much difference between the population of the two areas. Suppose a famine occurred in Belgium or France, could any one suppose that it would be of the slightest use to appoint a Committee in Washington to inquire into that famine, and to lay down general principles which might probably hereafter apply to inhabitants of the North of Scotland? It must be remembered that this was not an ordinary scarcity. It was a Famine such as had not occurred for 100 years, and it might fairly be expected not to recur for that period. No doubt there would be droughts in different parts of India, but year by year the country was being guarded against these visitations by the extension of railways and other means of communication, as well as by the construction of works of irrigation. This Famine caught the country in a somewhat transition state, for the population of India, being no longer liable to be carried off by intestine war or by periodical famine to the same extent as in old times, had greatly increased, and thus famines were more difficult to deal with than in old times. It was true that the productive power of India had increased. The great difficulty, however, was transport. The means of transport were now becoming more complete every year, and it would be possible to deal far more cheaply and effectually with future than with past famines. Under such circumstances, what could be more unwise than to take this Famine for your model and draw from it elaborate conclusions which, probably, every local Government would feel bound to apply to every petty scarcity which might occur for a 100 years to come? The result of such a course would be rather to increase than diminish expenditure. Two precedents had been cited for inquiry, the appointment of Select Committees on the Abyssinian Expedition and the Expedition to the Crimea. But the Crimean Committee was appointed, because our Commissariat had disgracefully failed; while here, the complaint was that the Commissariat had been too good. In the other instance, inquiry was made because, while the Abyssinian Expedition was a complete success, the Estimates were largely exceeded. Here the success was as complete, while there was no such excess of Estimates; and there was, therefore, no analogy between those cases and the present. He contended, then, that no practical good could come from the appointment of a Select Committee, because no proper evidence could be obtained; and if evidence could be obtained, the Committee could come to no practical conclusion. Moreover, the appointment of such a Committee would be understood out-of-doors as implying censure upon the Indian Government for too successfully carrying out the policy forced upon them by the House of Commons; and Lord Northbrook, on returning home, would be rewarded by being called as a witness in order to impugn a work for the success of which he had been expressly thanked in the Queen's Speech. Lord Northbrook, so far from showing scepticism as to the reality of the Famine, stopped at Calcutta through the hot season of 1874 in order to deal with it, and visited the districts in which it was likely to occur. Having done so, he said that, without the slightest doubt, an immense mortality would have resulted but for the efforts of the Bengal Government. There was no doubt that the Famine expanded and contracted very suddenly in many places, and also that great discrepancies existed in the statements which he had seen and read upon the subject. A mass of Papers had been sent to him (Lord George Hamilton), including some of the private diaries of the civil officers employed in the Famine districts; and while it was clear that certain officers south of the Ganges, in the West, and elsewhere were somewhat sceptical, all the officers stationed in the Famine districts indicated by the Indian Government declared the reality of the Famine, and said that a mass of the people must have died but for the relief given to them. He would, however, only refer to the statement of one of them—that of an officer who was stationed in the Famine district. In the particular district in which that officer was situated there was a population of 90,000, and he wrote that the popular belief was that but for Government aid two-thirds of that number would have perished. He could not himself suppose from his own actual experience that less than from 15,000 to 20,000 would have died from absolute starvation had it not been for the measures which were adopted by the Government. It seemed to him (Lord George Hamilton), therefore, that no case had been made out for such an exceptional proceeding as that of appointing a Select Committee, which, when appointed, would be useless. Much had been said about the constant interference exercised by the India Office on the Indian Government; but it had always struck him as somewhat anomalous that hon. Members should rise in that House and make violent speeches about India, and at the same time object to the Secretary of State telegraphing to the Viceroy. Great and powerful as the Indian Government was, it had no power of its own, for all that it exercised was derived from English Acts of Parliament and from the English Government, who were responsible to Parliament for the exercise of its power. It must always be the wish and desire of the Secretary of State to increase and maintain the authority and prestige of the Viceroy of India, and he denied that there had been any tendency in the past few years to unduly use the telegraph in forcing on the Indian Government. What had been sent out had been suggestions, and except the one telegram which had been referred to, none were sent but replies to messages which had come home. He admitted that the improper use of the telegram was a mistake; and if there was but one wire between here and India, he believed that the present Secretary of State would be the first to cut it. It was necessary, however, to use the wires, because others used them; and the Department had to use them sometimes in order to obtain information with which to answer Questions put by independent Members. In conclusion, he would say it was the House of Commons who urged the Indian Government to spend money in relieving the Famine, and having successfully carried out that desire, it was now proposed to appoint a Committee of Inquiry, which was nothing less than a Motion of Censure. ["No, no!"] He maintained it would be a Motion of Censure, and no other construction could be put upon it. ["No, no!"] The argument by which the Resolution was supported was that the Famine was on a limited scale and that unnecessary expenditure was incurred; and if that was not censure he did not know what could be. He must, however, again remind the House that it was a most inopportune moment to inquire into the conduct of an ex-Governor of our most important dependency. If, in 1874, Lord Northbrook had engaged in a great war, if his preparations for that war had been as successful as they had been for the Famine, would he have been found fault with at the close of the war if his reserves had been left practically untouched? Yet the complaint against him was that his preparations were wasted, and that he was so successful in dealing with the enemy against whom he had to contend, the Famine, that he was not compelled to draw upon his reserves. It would be an evil day when, in drawing a distinction between the two kinds of campaign, we drew it in favour of that which had for it object the destruction of human life, as against that which had for its object the preservation of life. He regretted that pamphlets and documents had been widely disseminated throughout India, reiterating in coarse and vulgar terms some of the statements that had been made in debate; and he could not think the House would select that occasion to enforce the appointment of a Select Committee, which, in his judgment, would be nothing less than an inopportune and impolitic mode of censuring a Government for having too successfully carried out a policy of which the House had not only approved, but forced upon them.

Mr. FAWCETT said, the noble Lord the Under Secretary of State for India had totally misapprehended, misinterpreted, and misunderstood the motives and intentions of the hon. Member for Tynemouth (Mr. T. E. Smith), and the objects he sought to obtain. Nothing was further from his intention than to censure either the Home Government or a distinguished nobleman like Lord Northbrook, who had rendered great service at personal sacrifice. If he thought the Motion could be twisted into a censure of Lord Northbrook, he would give it strong opposition, for considering all the circumstances, he (Mr. Fawcett) was surprised Lord Northbrook did not spend more money, and great credit was due to his Lordship that the extravagance, great as it was, was not still greater. The noble Lord the Under Secretary of State supplied the strongest possible argument in favour of the appointment of a Committee; for, while saying Lord Northbrook was not to blame, he admitted a certain amount of waste and extravagance, for which he said the House of Commons and English public opinion were responsible. If that House were responsible for forcing upon the Indian Government an expenditure which was unnecessary, was it not bound as a simple duty which it owed to the Indian people to obtain all the information that was possible in order to prevent its committing a similar mistake in future? As to the difficulty of obtaining information, if the Secretary of State, as the noble Lord had told them, in a fortnight could look through Papers and obtain information which enabled him to form such a judgment as to send out to an able and distinguished statesman, who had been working for months at the problem, on the spot a peremptory order, might not a Select Committee, with the labour of a few weeks, and with those Papers before it, and a power to call for evidence which the Secretary of State did not possess, also obtain some knowledge about this subject? As he had said, the noble Lord himself supplied the most complete argument of the opportuneness of this Motion. Lord Northbrook would be back in about four weeks; and if for no other reason, it would be worth while to have this Committee appointed, so that it might call that distinguished statesman and ask him what was the exact extent and the exact manner in which his judgment was overruled by the Secretary of State after he had been in office for a single fortnight. An answer to that question would alone justify the appointment of the Committee, and would throw a light upon the subject which would be of incalculable service to the people of India. The Secretary of Sate also might be asked to state, in order to prevent the recurrence of another such error, in what way the House of Commons had interfered with his discretion, or had forced upon him an expenditure which otherwise he would never have sanctioned. The only argument he had heard against the appointment of the Committee was that advanced by the hon. Member for Guildford (Mr. Onslow). The hon. Member said that these famines could only be managed by one like the Viceroy, who was upon the spot—he did not know whether it might not be out of order to call him "Viceroy"—but one who until that evening would be a Viceroy. He so far agreed with the hon. Member for Guildford; he thought the Viceroy should not be interfered with; but interference with the Viceroy had never been carried to such an extent as by the present Secretary of State. He also thought that unless we were very careful in dealing with the Government of India the position of Viceroy would be reduced to such an extent that the distinguished men who had held that office hitherto would not hold it in future; for he could not understand how a Governor General would submit to such language as that which of late had been addressed to the Viceroy of India. He would, however, say no more about it now, for they would have another opportunity of considering the point. No one could doubt that a tendency existed at present towards the Secretary of State assuming a more direct control over the Government of India. If that were so, and that the Secretaries of State were in future to govern India more directly, the House of Commons would be bound to take a greater interest in Indian affairs; for if it did not do so, the result would be that India would suffer from all the disadvantages of Party Government, and would not have one advantage in return.

Under all the circumstances, he thought a case for such a Committee had been made out by his hon. Friend, and he (Mr. Fawcett) submitted that the issue should not be led astray by a false trail. For his part, he should support with his vote the Motion of his hon. Friend for the appointment of a Select Committee.

Mr. GRANT DUFF said, he was extremely glad to hear the hon. Member for Hackney (Mr. Fawcett) so explicitly declare that, in supporting the Motion for a Committee, he had no idea of expressing an opinion that either the Home Government or the Government of India deserved censure. But if the speech of the hon. Member for Tynemouth (Mr. T. E. Smith) did not mean censure, he could not see what it meant at all. Was his hon. Friend not conveying a censure on the late Secretary of State when he intimated that he had gone into the rice market to negotiate for 950,000 tons? The hon. Member, with his great business experience, ought to have seen at a glance that the object of the Secretary of State in sending to the Viceroy the telegram on which he had commented was as different as possible from that which he had supposed. The spirit of the telegram was this—"Do not be uneasy about your rice supplies. I can send you any amount of rice—much more rice than you can possibly want." Then again, was his hon. Friend conveying no censure on the present Lieutenant Governor of Bengal when he told the House that that distinguished officer was not acquainted with the great net-work of water communication in the province which he ruled? He would be, indeed, a bold man who would assert that there was any Indian subject of importance with which Sir Richard Temple was not acquainted, for the range of his knowledge and interest was quite exceptional. But the hon. Member had made a peculiarly unfortunate selection, for he (Mr. Grant Duff) knew that the water communication of Bengal was a subject on which the mind of Sir Richard Temple dwelt a great deal, and to which he was accustomed to direct the very special attention of persons studying that part of India. Further, was the hon. Member not expressing censure on the present Lieutenant Governor of Bengal when he pointed out the great extravagance involved in the relief works? All relief works must be attended with a certain amount of extravagance. In the nature of things it must be so. But no one could read the Report of Sir Richard Temple without seeing that the most minute precautions had been taken to prevent extravagance and abuse in the relief works. But passing from particulars to the general character of the discussion, he (Mr. Grant Duff) thought that it would do good—not immediate good, but good in time to come. When the next Indian Famine arose—and he agreed with the noble Lord the Under Secretary that they might fairly expect many years to pass before they had such another Famine—he did hope that the persons in authority in connection with India would be more trusted when they attempted to re-assure people than they were last time. This discussion would be preserved in *Hansard*, and would be something to point to in the middle of the next red-hot fit of philanthropy. It would enable the persons who had to deal with the next Famine to say—The hot fit is on now, but in about two years' time we shall have the cold fit. He only wished there had been some people in January, 1874, to take the line which the hon. Member for Tynemouth had taken to-night. It fell to his (Mr. Grant Duff's) lot at that time to have to make a speech in which, being then at the India Office, and having, of course, all the facts of the case before him, he ventured to say that the authorities in India and at home had taken every conceivable precaution. But what happened? Why, for doing this, he was treated in many quarters as a person possessed by such a crazy optimism that he was hardly fit for any place out of Bedlam. But if the discussion would do good, it would be otherwise with the Committee. If the Committee were granted, he believed it would be likely to do unmitigated harm. He was glad the noble Lord had dealt firmly with the proposal. If the Committee were appointed, it could only examine the hon. Gentleman the Member for Kirkcaldy, Lord Northbrook, and a few others, whose opinions were already well known. That would leave matters where they were. The only effectual further step they could take would be to bring home a ship-load of the people engaged in the work of Bengal; but if they did that, Bengal being under-officered, they would throw the ordinary duties entirely out of gear, and great calamities would be the result. He could not see any sort of advantage which would spring from the proposal before the House, and he should vote against it.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided:*—Ayes 149; Noes 46: Majority 103.

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY — REVENUE DEPARTMENTS AND ARMY PURCHASE COMMISSION (VOTES ON ACCOUNT).

Supply—*considered* in Committee.

(In the Committee.)

(1.) Motion made, and Question proposed,

"That a sum, not exceeding £1,370,000, be granted to Her Majesty, on account, for or towards defraying the Charge for the following Revenue Departments to the 31st day of March 1877, viz.:

	£
Customs	170,000
Inland Revenue	300,000
Post Office	550,000
Post Office Packet Service	150,000
Post Office Telegraphs	200,000
	£1,370,000."

Captain NOLAN said, he would move that the Chairman do leave the Chair, in order to enable the House to go into the Irish business, which stood upon the Paper for that evening. He had to complain that several Irish Bills had, night after night, been put down in such a position that they could not be taken until an hour too late to allow of their being properly discussed, and he would express a hope that the Government would give some pledge that Irish Business would not be placed upon the Paper, unless there was a prospect of its being brought on at a reasonable time.

Motion made, and Question proposed, "That the Chairman do now leave the Chair."—(*Captain Nolan.*)

Sir MICHAEL HICKS-BEACH said, that he had more than once attempted to proceed with the Cattle Disease (Ireland) Bill in Committee, but he had been met by opposition to which he did not care to apply an epithet on that occasion. That opposition had come from one or two of the Irish Members—certainly not from anything like a majority of them. It was true the Bill was down for that evening, and that it would be impossible to bring it on; but he had to remind the hon. and gallant Member that it had, the last time it appeared on the Paper, been postponed at his own request. They would postpone the Cattle Disease Bill to that day week, and he hoped to make an arrangement by which it could be brought on then. As for the Clerk of the Peace and of the Crown (Ireland) Bill, and the Admiralty Jurisdiction (Ireland) Bill, which were also down for that evening, he had only to say that they were brought in shortly before the Recess, and that Notice of Opposition to them was given even before they were printed. However, the Government would do their best to give an opportunity for the discussion of both those measures. For his own part, he had invariably consulted, and would continue to consult, the convenience of Irish Members on both sides of the House so far as lay in his power.

Dr. WARD said, the reason why opposition was offered to proceeding with the Cattle Disease (Ireland) Bill and other Bills was because they were always taken at an early hour in the morning when many Irish Members were absent, and when there was just a sufficient number of hon. Members on the Government benches to form a majority. That practice was at the root of a great deal of the dissatisfaction which was felt with regard to the conduct of the Public Business by Irish Members.

Mr. BUTT urged that, as far as possible, Bills should be put down for an evening when there was some probability of their coming on, and expressed his willingness to give whatever assistance he could with that object to the right hon. Baronet, whose courtesy to the Irish Members he gladly acknowledged.

The SOLICITOR GENERAL for IRELAND (Mr. Plunket) promised to do what he could to have Irish Bills brought on at a convenient time.

Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

(2.) £100,000, on account, for the Army Purchase Commission.

GENERAL SIR GEORGE BALFOUR said, he had to complain of the obscure and very unsatisfactory manner in which the Estimate for that part of the public expenditure needed for the purchase of Army officers' commissions was presented to the House. The information afforded was of the most meagre character, and the audited accounts of the actual outlay were even more unsatisfactory. The House of Commons had a fair right to complain that the Estimates, and above all the audited Expenditure, failed to give information as to the number of officers of the several grades, and of the different branches of the Service, whose commissions had been bought up. If it were not for the thoroughly reliable characters of the distinguished officers on the Army Purchase Commission, the greatest abuses might be perpetrated, under the cover of the obscure and unsatisfactory manner in which the Estimates were made out, and especially in the vague way the accounts were rendered. Besides, the House had a right to expect that the fullest details should be given as to the result of their great measure to spend many millions in buying back the Army from the officers.

THE CHANCELLOR OF THE EXCHEQUER, in reply, said, that the Estimate was presented in the form which had been in use for some time, and according to the arrangement made when the Purchase system was abolished; but he should be glad if any improvement could be effected in its form, and he would consider with his right hon. Friend the Secretary of State for War in order to see whether that could be done.

Vote *agreed to.*

House *resumed.*

Resolutions to be reported upon *Monday* next; Committee to sit again upon *Monday* next.

MERCHANT SHIPPING BILL.—[BILL 49.]

(*Sir Charles Adderley, Mr. Edward Stanhope.*)

COMMITTEE. [*Progress 27th April.*]

Bill *considered* in Committee.

(In the Committee.)

Clause 18 (Marking of load-line).

SIR HENRY JAMES said, with reference to an Amendment standing on the Paper in the name of the hon. Member for Derby (Mr. Plimsoll), that the Bill was not generally expected to be proceeded with that evening, and he was quite sure the absence of the hon. Member was purely unintentional. As, however, there were other points to be considered on the Report, the question in which the hon. Member was interested might be discussed then.

Clause, as amended, *agreed to.*

Clause 19 (Penalty for offences in relation to marks on ships).

MR. GRIEVE moved, as an Amendment, in page 11, line 6, after "ship," to insert "wilfully."

SIR CHARLES ADDERLEY opposed the Amendment, believing it to be necessary that there should be some penalty attached to neglect, even though it might not be deliberate and wilful.

Amendment *negatived.*

MR. E. JENKINS (for Mr. PLIMSOLL) moved, as an Amendment, in page 11, line 8, after "marked," to insert "or who allows the ship to be so loaded as to submerge the centre of the disc."

SIR CHARLES ADDERLEY opposed the Amendment. He was inclined at first to treat the submerging of the disc as a criminal proceeding; but he thought it would be better to leave the clause as it stood. The clause was of the nature of a contract by which the shipowner, who himself fixed the disc, undertook that his maximum loading should not exceed its centre, and, if it did, he would be liable to a civil action, or a prosecution for misdemeanour, besides vitiating his insurance.

MR. MORGAN LLOYD asked if a ship's crew were drowned, in consequence of that breach of contract, who was to bring the action? If not drowned but wrecked, they would have to remain on shore, and lose time and money in prosecuting their claims, so that even if they succeeded they would but gain a loss. The Amendment was absolutely necessary to give effect to what the Government declared to be their one object, and they would neither act honestly nor fairly if they did not accept it. The fact was, that the right hon. Gentleman did not know his own mind upon the question of load line, and hence all these difficulties in dealing with the question.

MR. MAC IVER supported the Amendment. It was not possible, except in the calmest water, to tell within several inches how a vessel was actually laden.

MR. SAMUDA opposed it. The clause was much more stringent and severe than Clause 18, and imposed a penalty of £100 for breach of contract. The Board of Trade would have no difficulty in enforcing that penalty.

MR. SHAW LEFEVRE did not see any necessity for the introduction of the words. At the same time, he did not understand how an action could be brought for breach of contract, because in Clause 18 there was no absolute contract between the shipowner and the seamen.

SIR CHARLES ADDERLEY pointed out this section in Clause 18—"The master of the ship shall also enter a copy of this statement in the agreement with his crew." That, he suspected, would make it part of the contract. Criminal proceedings could also be taken for sending a ship to sea in a dangerous state, and the owner stated that the mark showed the maximum point to which the ship would be laden; therefore, if the mark was submerged, the ship would be acknowledged over-loaded.

SIR HENRY JAMES observed, that it was impossible to obtain damages for anticipated danger. A load line was asked for to prevent a ship being sunk too deeply in the water; but he contended that if a penalty were not inflicted for putting the load line under water there would be very little use in having a load line at all, and that the shipowner would escape punishment unless the ship were lost. If the Amendment were not accepted it would be better to expunge the clause altogether.

THE ATTORNEY GENERAL thought the hon. and learned Member for Taunton did not quite appreciate the force of the clause as it stood without a penalty. He (the Attorney General) maintained that even without a penalty the clause would be effective. Under the 18th clause the shipowner was required to put a load line on his ship at the maximum point to which he intended to load his ship. If he loaded the ship beyond that point he would break the contract into which he had entered with the sailors. If no damage thereby ensued to a seaman he could not recover more than nominal damages, but he would have a perfect right to refuse to proceed to sea, and the owner would be unable to compel him. Even if the vessel went to sea, and an accident occurred in consequence of her being overloaded, the mere fact of the load line having been submerged would be most cogent evidence of negligence on the part of the owner. There would be one great advantage which they would have, and which it was intended they should have. If a seaman was drowned his family might sue the owner for compensation for loss of his life, and if the submerging of the load line made the ship unseaworthy, the owner would further expose himself to a charge of manslaughter.

MR. RATHBONE apprehended that the shipowners would not in the least object to the insertion of the Amendment. The hon. and learned Attorney General had well pointed out the consequences to the owner of submerging his load line; and besides that, in the event of loss, he (Mr. Rathbone) wondered what sort of a chance he would stand of recovering his insurance from the underwriters.

SIR CHARLES ADDERLEY said, that if hon. Members generally in the shipping interest were in favour of the Amendment, he would not further contend against it.

SIR WILLIAM HARCOURT thought there was every reason for the Amendment. If the Government wanted the load line to be respected at all it would be necessary to inflict some definite punishment upon any man who submerged his ship below his own voluntary load line, whether it was attended with any loss of life or not.

MR. WATKIN WILLIAMS, as a lawyer, objected to the Amendment as it would render it impossible for the Judges to interpret the Act. It was quite a mistake to suppose that if an owner loaded his ship to a deeper line than he had marked on his ship he either vitiated his assurance or violated any contract, or committed a misdemeanour. The 18th clause defined what were to be the offences under the Act, and this clause defined the penalties with which they were to be visited. A change of intention was not an offence under the 18th, and therefore it did not come within the scope of the 19th clause, which merely dealt with penalties.

Mr. T. E. SMITH admired the legal subtleties of the hon. and learned Member for the Denbigh Boroughs; but thought the Committee should be guided not so much by law as by common sense. They had, after much debating, come to the point that a load line should be marked on the side by the shipowner, and it would be the height of absurdity not to inflict a penalty if that load line were submerged. The hon. and learned Attorney General said that a sailor on going on board, if he saw the load line submerged, could refuse to sail; but gentlemen connected with shipping knew that generally when sailors went aboard they were incapable of knowing whether the ship was overloaded or not—to use a nautical phrase they could not see a hole in a grate. If they wanted to protect the seaman, there must be a penalty for submerging the load line, otherwise the load line was altogether a delusion.

Mr. W. S. STANHOPE considered that under the Amendment a shipowner would be liable to a penalty if the load-line were submerged in fresh water.

Mr. GOURLEY considered a shipowner would have a perfect right to overload in fresh water, inasmuch as when the vessel got into salt water she would rise three or four inches, which would be so much an addition to the freeboard.

Lord ESLINGTON said, that the discussion was, in his opinion, a waste of time. The Government had accepted the Amendment, and they had, in his opinion, acted rightly in so doing. It would be an absurdity to establish a load line if it were not made a line for ensuring safety.

Amendment *amended* by inserting after the word "submerge," the words "in sea water," and *agreed to.*

Clause, as amended, *agreed to.*

Investigations into Shipping Casualties.

Clause 20 (Appointment, duties, and powers of wreck commissioners for investigating shipping casualties), *amended,* and *agreed to.*

Clause 21 (Assessors and rules of procedure on formal investigations into shipping casualties).

Mr. RATHBONE moved, as an Amendment, the insertion of the words—

"Where an investigation may involve the cancellation or suspension of the certificate of the master or mate, one of the assessors shall, if practicable, be a person having experience in the merchant service."

Amendment *agreed to;* words *inserted.*

Mr. WILSON moved, as an Amendment, in page 12, line 16, at end, add—

"And in the absence of any such charge no master or officer shall be required to give up his certificate."

Amendment proposed,

At the end of the Clause, to add the words "and in the absence of any such charge no master or officer shall be required to give up his certificate."—(*Mr. Wilson.*)

The ATTORNEY GENERAL thought the Amendment very undesirable, as a master or officer might have shown himself thoroughly incompetent, and yet he would be able, under the Amendment, to take his services elsewhere.

Sir CHARLES ADDERLEY said, that no master or officer was required at present to give up his certificate in the absence of such a charge against him.

Question put, "That those words be there added."

The Committee *divided:*—Ayes 66; Noes 147: Majority 81.

Clause, as amended, *agreed to.*

Clause 22 (Power for wreck commissioner to institute examination with respect to ships in distress under 17 & 18 Vict. c. 104. s. 448), *agreed to.*

Clause 23 (Power to hold inquiries or formal investigations as to stranded and missing ships).

Mr. MURPHY moved, as an Amendment, in page 12, line 25, to leave out "stranded or," and insert "materially."

Sir CHARLES ADDERLEY objected to the Amendment of the inquiry being to ascertain how the master ran the ship aground, and not whether she was "materially" damaged or not. It was equally important to ascertain how a ship was mismanaged and stranded, whether she was lucky enough to get afloat again, only slightly injured not.

Amendment *negatived.*

Mr. GRIEVE proposed as an Amendment, in page 12, line 25, to insert the word "seriously" after "stranded or."

Amendment *negatived.*

Clause *agreed to.*

Training Ships.

Clause 24 (Contribution from Mercantile Marine Fund to training ships).

Mr. WATKIN WILLIAMS said, he would move that the Chairman should report Progress. They had now made considerable progress, and it was almost half-past 12 o'clock.

Motion made, and Question proposed, "That the Chairman report Progress, and ask leave to sit again."—(*Mr. Watkin Williams.*)

Sir CHARLES ADDERLEY appealed to the hon. and learned Member not to press his Motion.

Mr. T. E. SMITH was of opinion that the Chairman ought to report Progress. The Bill was a most important one, and the clause now proposed required serious consideration, and there were many hon. Members who were desirous to express their opinions upon it.

Question put, and *agreed to.*

House *resumed.*

Committee report Progress; to sit again upon *Monday* next.

ADMIRALTY JURISDICTION (IRELAND) BILL.—[Bill 121.]

(*Mr. Solicitor General for Ireland, Sir Michael Hicks-Beach.*)

SECOND READING.

Order for Second Reading read.

The SOLICITOR GENERAL for IRELAND (Mr. Plunket), in moving that the Bill be now read the second time, said, that it had for its object the extension in certain respects of the jurisdiction conferred on the Recorders of Belfast, Limerick, and Cork, in Admiralty cases by the Admiralty Act of 1867. He hoped the House would consent to the Motion.

Motion made, and Question proposed, "That the Bill be now read the second time."—(*Mr. Solicitor General for Ireland.*)

Dr. WARD said, he had not the slightest objection to the Bill, but he hoped the Government would confer the same powers on Galway as it had conferred upon Cork and Belfast, by vesting the Recorder with similar powers to those which had been conferred on the Recorders of the towns he had named.

Mr. MURPHY expressed himself satisfied with the main principles of the Bill, and thanked the hon. and learned Gentleman (the Solicitor General for Ireland) for its introduction, particularly on behalf of the City of Cork, which he (Mr. Murphy) represented, and for thus carrying out to the fullest extent the promise he had made to him. There were some important matters of detail, however, which he (Mr. Murphy) reserved to himself the right of dealing with in Committee, and which he would embody in Amendments to be then brought up.

Question put, and *agreed to.*

Bill read a second time, and *committed* for *Thursday* next.

INTOXICATING LIQUORS (LICENSING LAW AMENDMENT) (No. 2) BILL.

(*Sir Harcourt Johnstone, Mr. Birley, Sir John Kennaway, Mr. Pease.*)

[BILL 116.] SECOND READING.

Order for Second Reading read.

Sir HARCOURT JOHNSTONE, in moving that the Bill be now read the second time, said, its object was to restrict, and in a certain degree prohibit, the granting of licences for the sale of intoxicating liquors for consumption off the premises. The provisions of the measure were simple. In the first place, he proposed to confine the operation of the Bill to England, and it did not in any manner apply to or affect premises licensed by a justice authorizing the sale of intoxicating liquors where the licence was in force at the time of the passing of the Act, and kept in force continuously by renewal with or without transfer. The 2nd clause contemplated an amendment of the 8th section of 32 & 33 Vict. by placing the refusal of licences authorizing the retail sale of beer, cider, or wine, not to be consumed on the premises, at the discretion of the licensing magistrates, and repealed so much of the section as limited that discretion. It further amended by repeal the major portion of the 68th section of the Licensing Act of 1872 so as to prevent the grant of further spirit licences to grocers and other persons of that description. The important Return which, through the kindness of the right hon. Gentleman the Home Secretary, he had been able to obtain, showing as it did the opinion of the magistrates of quarter sessions and of chief constables in many of the principal districts of the country on the wide-spreading evils arising out of the sale of spirits under grocers' licences, more especially in Cheshire, Lancashire, and Yorkshire, demonstrated the necessity for adopting the course recommended by the Bill he then submitted for the approval of the House. He was sorry time would not allow him to place the figures before hon. Members, but hoped on a future occasion he might be more fortunately situated in that respect. Those magistrates and officials were unanimous that, as far as possible, the sale of spirits in those shops should be discontinued, and that was the very best testimony that could be adduced in favour of his proposal. It might be urged that the class of places to which the Bill made special reference afforded opportunities for obtaining spirits that were of convenience to the public; but if there were advantages of that nature, they were outweighed by the disadvantages. There could be no doubt that drunkenness was very much on the increase—a fact that was admitted by the right hon. Gentleman the Chancellor of the Exchequer in his Budget Speech when he alluded to the augmentation of the Revenue derived from the sale of spirits. If the Bill were a dangerous Bill, interfering with vested interests, he should have hesitated to propose it; but it did not apply to premises licensed at the present moment. It merely placed a certain limit on the discretion of magistrates. He had not ventured to initiate legislation deterring magistrates from granting facilities for the sale of beer and wine. Had he done so, he might have been met with the opposition of that powerful, wealthy class, the brewers; but he did not hold that the sale of beer and wine was by any means so detrimental as the unlimited sale of spirits. It was not, in many parts of the country, the grocers alone who obtained those licences, but frequently butchers, shoemakers, and other descriptions of shopkeepers were accustomed to apply for and did obtain them. It could not be contended that no practical control on their part should not exist with regard to licences of this description. It was the universal opinion of the clergy that it would be far wiser to diminish the facilities for the sale of drink than to give an opportunity for their increase. He trusted the right hon. Gentleman the Home Secretary would not offer any opposition to the second reading of a Bill which was calculated to promote the cause of law and order by preventing the multiplication of facilities that brought about such disastrous results, and he earnestly appealed to hon. Gentlemen on the Conservative side of the House to assist him in carrying the measure. He begged to move the second reading of the Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir Harcourt Johnstone.*)

MR. D. ONSLOW, in moving the adjournment of the debate, said, he objected to the second reading at that late hour. The hon. Gentleman said that he had many figures to produce in support of his proposal, and, holding them in his hand, he expressed a hope that at some future time he might be able to bring them before the House. But he (Mr. Onslow) thought they had had quite enough, at all events for the present, of this liquor legislation, and he set his face against it. He hoped the House would agree with him, and support his proposal that the debate be adjourned.

Motion made, and Question proposed, "That the Debate be now adjourned." —(*Mr. Onslow.*)

MR. W. S. STANHOPE said, that perhaps it might be as well to adjourn the debate, but he could fully confirm the hon. Baronet's satement respecting the evils which resulted from the facilities afforded by grocers' licences, and he wished to draw attention to the fact that the magistrates of the West Riding of Yorkshire at their quarter sessions had unanimously adopted a resolution on the subject and forwarded it to the Home Secretary. He did not know that they had sufficient information as to the power of the magistrates to prevent abuses arising by the granting of these licences, and it was very desirable that some measure should be taken by the Government on the subject. There had been very little legislation on this part of the subject during the present Parliament; and before they added to the number of shops opened for the sale of intoxicating liquors, they ought to have better information as to what was likely to be the effect of opening a number of small shops for the purpose, over which the magistrates and the police could not possibly exercise any effectual control.

Mr. RATHBONE said, he hoped the right hon. Gentleman the Home Secretary would not assent to anything that would add to the present monopoly in the sale of intoxicating liquors without further inquiry. They had not any reliable information on the subject; they all knew that there was a class of tradesmen who had a very large interest in the maintenance of that monopoly. But there were certain facts to which it was desirable to call attention. In the borough of Liverpool, some years ago, the system of what was called free trade was introduced, or, in other words, open shops for the sale of drink. That system lasted for three years, and there was a general belief that the increase of public-houses had led to a great increase of drunkenness, and curiously enough the large body of magistrates in the borough were not alive to the fact that there was no such increase. Inquiries had, however, been made two years later, the result of which was to show that the amount of drunkenness had actually been less in proportion to population than previous to the adoption of the open licensing system. That showed that there was no relation between the amount of drunkenness and the number of open houses for the sale of drink. The county magistrates in the neighbouring district of Prescot and Much Woolton, who were not so subject to be influenced by the popular opinion of the day, maintained their ground, and until this day the open system was carried on in that district to the entire satisfaction of the magistrates and police. At the same time he admitted that, though his own opinion was very decided upon the point, he thought the House was not in possession of sufficiently reliable information to warrant further legislation at present, and he would suggest to the right hon. Gentleman that a Select Committee should be appointed to collect and carefully sift the evidence before they proceeded to legislate further. He was most anxious that they should not increase the existing monopoly, which was already too strong.

Mr. DALRYMPLE said, he could not agree with the hon. Member for Liverpool (Mr. Rathbone) that they were not in possession of sufficient information on the subject to warrant further legislation; but certainly the statement that in proportion to the increase of public-houses drinking had decreased, would require confirmation before it could be believed. He (Mr. Dalrymple) was interested in the present Bill as it contained provisions similar to one which had been introduced in reference to Scotland. When a Bill of moderate character was brought forward it might fairly be asked that it should receive the attention of the House, and it ought to be observed that the present proposal avoided the objectionable characteristics of the Permissive Bill, which was directed against even a moderate use of intoxicating liquors.

Sir WILLIAM HARCOURT said, the last Act had been in operation but a very short time. It had not been proved that for its purposes it had failed. With respect to the present Bill, it would be recollected that great objections had been made to the grocers' licences, and it was alleged that great evils had arisen from their existence. The Bill would, if agreed to, increase that evil. He could see no reason why the settlement come to two years ago should be disturbed, and he thought that, of all persons, the licensed victuallers had the least reason to complain of it. On the whole, it had worked well, and he hoped the right hon. Gentleman the Home Secretary would discourage the attempt to re-open it thus early.

Mr. ASSHETON CROSS said, that the question raised by the Bill was a large one, but the immediate question before them was, whether they could entertain the subject at that late hour of the morning, and he was strongly of opinion that they could not. He gathered that from the speeches made on the Bill on the other side of the House. First, the hon. Gentleman who introduced the Bill said he had information to give to the House on the subject, if the House was inclined to listen to him; but he himself admitted that the hour was too late. Then the hon. Member for Liverpool (Mr. Rathbone) said he had facts and figures to lay before them. He had shown them to him (Mr. Cross) and had also given him the reasons that had induced him to come to the conclusions he had. He (Mr. Cross) could answer for it that there was a great deal in them, and that those facts and figures ought to be laid before the House; yet when the hon. Member proposed to do so, he was stopped by the voice of the House. A considerable part of the Bill was in the measure of his hon. Colleague who sat near him (Sir Henry Selwin-Ibbetson); and it would have passed into law had it not been for the right hon. Gentleman the Member for Greenwich. The Bill was a short and attractive one; but he ventured to say that after it had passed its second reading, it would come on the Paper with Amendments as thickly as the Merchant Shipping Bill had done, and no point would be left untouched that was gone into two years ago. He was bound to say, however, that many addresses on the subject had been forwarded to him at the Home Office that were well worthy of consideration; but if the Bill was gone on with, it should be at an hour when there would be ample time for discussing its merits.

Sir HARCOURT JOHNSTONE thought that the right hon. Gentleman the Home Secretary was, of all Members of that House, the one best able to give information on the subject. He was, or ought to be, in a position to afford the House the information which it needed, and he was rather surprised at his pleading insufficiency of information. Memorials had come in to him from all parts of England, and these were the very bases of the case he had to submit to the House. He could not put it on any stronger grounds than that of the remonstrances which had emanated from the justices of the districts chiefly affected by the present state of the law; and if there were any desire to check that traffic, he could not conceive why it should not be the wish of the House that the Bill should be read a second time. He hoped that if the Bill were not dealt with now, a further day would be given for its consideration, for he was sure the House would very much regret, at the end of the Session, that some measure had not been passed to restrict it.

Mr. ASSHETON CROSS said, he was afraid he could not give any assurance to the hon. Gentleman that the Government would give him a day for the purpose; but he could promise that when it did come forward, he should be willing to give the House such information as he possessed, and to discuss the memorials he had received if time admitted of going fully into the subject.

Question put. The House *divided:* Ayes 73; Noes 40: Majority 33.

Debate *adjourned* till *Friday* next.

House adjourned at a Quarter
after One o'clock till
Monday next.

HOUSE OF LORDS,

Monday, 1st *May,* 1876.

MINUTES.]—Public Bills—*First Reading*—Union of Benefices * (64).

Second Reading—Inns of Court (47); General School of Law (48).

Committee—Irish Peerage (32-65).

INNS OF COURT BILL—(No. 47).
GENERAL SCHOOL OF LAW BILL—(No. 48).

(*The Lord Selborne.*)

SECOND READING.

Order of the Day for the Second Reading of the Inns of Court Bill read.

Lord SELBORNE, in moving that the Inns of Court Bill be now read the second time, said, it was not necessary that he should make any lengthened observations in respect to it, as it was in exact agreement with the Bill which last Session received the sanction of their Lordships' House. The General School of Law Bill, which stood next on the Paper, was not the same as the Bill with a similar title which was before their Lordships last Session. The latter measure was read a second time; but, owing to objections taken to it by his noble and learned Friend on the Woolsack, it was not carried to the further stages. To meet his noble and learned Friend's objections, he had confined the General School of Law Bill now on the Paper so far as related to the organization and objects of the proposed School of Law under the Bill itself, to making provision—as was done in the London University—for the examination of students. The school was to be an examining, but not a teaching, body: though he had introduced clauses, enabling it to accept trusts, and to make arrangements with the Inns of Court and the Incorporated Law Society, for any purposes connected with legal education.

Moved, "That the Bill be now read 2ª."—(*The Lord Selborne.*)

THE LORD CHANCELLOR said, the object of the Inns of Court Bill had his full concurrence. He did not know how far the Bill would meet the views of the Inns of Court themselves; but he had had several communications with them on the subject with which the Bill dealt, and he believed they were very ready to consider any such measure. With reference to the second of his noble and learned Friend's Bills—the School of Law Bill—he continued to be of opinion that the establishment by Parliament of a School for teaching Law would be open to serious objection. If any such school succeeded it could only do so by diminishing the influence and the action of the Inns of Court, and this, in his opinion, would not be desirable. He would suggest whether even the title of his noble and learned Friend's second Bill, "General School of Law Bill," would not give rise to a good deal of misapprehension by conveying the idea of a teaching body. Moreover, it seemed doubtful whether sufficient funds would be forthcoming to carry out the proposal. Again, the machinery of the Examining Body was, in his opinion, too cumbrous. He thought an examining body similar to the Examining Body in the Medical profession would meet all the requirements of the case. However, that and the details of the Bill were matter for consideration in another stage; and as his noble and learned Friend said that he intended the school to be only an examining body, he would not oppose the second reading.

Motion *agreed to;* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Monday the* 15*th instant.*

Then—

GENERAL SCHOOL OF LAW BILL read 2ª and *committed* to the same Committee.

IRISH PEERAGE BILL—(No. 32.)

(*The Lord Inchiquin.*)

COMMITTEE.

House in Committee (according to order.)

Clause 1 (Acts relating to creating Peers of Ireland repealed) *agreed to*, with Amendments.

Clause 2 (Increase of number of Representative Peers to 32).

LORD INCHIQUIN rose to move an Amendment, in line 20, to leave out "in case of vacancy by death," and insert "for supplying vacancies;" and, after line 21, insert, "At such election no Peer shall vote for more than three Peers." The noble Lord said, it was clear that the mere proposition to add four to the Representative Peers of Ireland, without some qualification, would result simply in adding so many additional votes to the Conservative side; and it was equally clear that if the other side were represented by means of the minority vote, there must be an addition to the number of representatives. Now, as to his proposition for the addition of four Peers, there could be no doubt as to its justice. There was in Ireland a body of men—small, no doubt, in number, but important from position—who were practically, by the present state of the law, debarred from taking any part in the legislation of the country. This was a just grievance, and he thought that any proposition that might remedy it should have the support of the Government. In moving this addition to the number of Representative Peers, he would direct attention to the means by which he proposed that the minority should be represented. In the first place he proposed, by his Amendment, that in the case of the first election of these four Peers, no Peer should vote for more than three Peers. Then, he had given Notice of an Amendment to Clause 3, by which it was provided that thereafter no vacancy arising among the Representative Peers should be filled up until there were three such vacancies, and that at the election for that purpose no Peer should vote for more than two Peers. It seemed that about one vacancy occurred a-year, and the consequence would be that it would be at least six years before the Liberal minority obtained two seats, and some 30 before they obtained a proportionate representation. As to the four additional seats he asked for, he maintained they were not an addition to, but a restoration of, the number to which Ireland was entitled. At the Union 28 Temporal and four Spiritual Peers were given to Ireland. The four Spiritual seats had been taken away by the Disestablishment of the Irish Church; and, therefore, the addition of the four Temporal Representatives would merely restore the representation of the Irish Peerage in that House to the position to which it was entitled. He might remark that at the Union the number proposed was objected to by the Irish Peers as insufficient, on the ground that if the proportion given to the Scotch Peerage at the Union with Scotland was observed with regard to Ireland, the number of Irish Representative Peers would be 53. The noble Lord concluded by moving his Amendments.

Amendments moved in line 20 to leave out ("in the case of a vacancy by death,") and insert (" for supplying vacancies"); and after line 21 insert as a new paragraph, but as part of Clause 2 (" at such election no Peer shall vote for more than three Peers.")—(*The Lord Inchiquin.*)

THE LORD CHANCELLOR said, he could have wished that the Bill had been kept confined to the two principal points with which it dealt when it was first introduced in their Lordships' House—which were, first, to do away, by a gradual process, with the anomaly of a continued creation of Irish Peers and the keeping up the anomaly of a separate Peerage, towards the extinction of which measures ought to be taken; and next to provide that any Irish Peer becoming entitled to a hereditary seat in the House of Lords should cease to be an Irish Representative Peer. The Bill, no doubt, did also contain a provision for increasing the number of Lords Temporal of Ireland elected to that House for life from 28 to 32; and notwithstanding what was urged against this latter proposition on the second reading of the Bill, his noble Friend still upheld it; and, moreover, he now proposed to add a provision for the election of Representative Peers for Ireland by means of the "minority vote." He was sorry that these two propositions should have been introduced, for they were foreign to the main design of the Bill, to which he should otherwise have given his support. With regard to the addition of four Temporal Peers to the representation, he would remind their Lordships how the matter stood. At the time of the Union, an arrangement—a very solemn though not unchangeable one—was made for a certain representation of the three Estates of the Irish Realm. The Commons were to have a representation of 100; the Lords Temporal a representation of 28, and the Lords Spiritual a representation of 4. It would be seen that each Estate was to have its own numerical representation. He could not see, therefore, what claim the Temporal estate had to the representation given to a State Church which had been disestablished. So far as any connection between the two they might just as reasonably be claimed for the Commons. But there was a more serious objection to the proposed addition. At the time of the Union the number of Irish Peers was, he believed, about 180.

THE EARL OF LIMERICK: The number was 211.

THE LORD CHANCELLOR said, he was obliged to his noble Friend for the correction. Well, he always understood that in settling a representation the principle adopted was to give representation in proportion to the number of the constituency. No doubt that was done at the time of the Union, and it was arranged that 28 Peers should be elected to represent the 211 Irish Peers. His noble Friend (Lord Inchiquin) said that a complaint was made at the time that if the Scotch ratio had been applied the number ought to have been more than 28. But that was the number fixed to represent 211. What was the state of things now? Since the Union 74 Irish peerages had become extinct; but as, under the Act of Union, there had been one new creation for every three extinctions there had not been a complete extinction to the number of 74, but there had been to the number of something like 50. That was not all. Five Irish peerages had come by succession to English Peers, and 61 Irish Peers had been created Peers of the United Kingdom, and, therefore, no longer required to be represented. When these and the 55 to whom he had just alluded were taken from the 211, the number was reduced to about 105. Seeing, then, that 28 were the number of representatives given to 211 Peers, nothing could be more untenable than a proposition to make the number 34 for a constituency of 105. As to his noble Friend's proposition to give the Irish Peers a minority vote, there could be no reason for opposing it on political grounds, because it would not affect the representation. But while his noble Friend, on the one hand, proposed to increase the representation of the Irish Peerage in that House, on the other, he proposed to keep two vacancies in the representation open, and not allow them to be filled up till a third arose, and then to allow only two votes to each elector. That seemed an altogether novel application of the principle. What would be said if such a proposal was made in the case of one of the large English towns which was now represented in the House of Commons by three Members? These large constituencies having three representatives, and the electors voting for two only, could only exercise the minority vote at general elections when three Members were to be returned; and no one proposed that first one then two seats should be kept unrepresented until the third vacancy should occur in order that the minority vote might come into play. But that was the principle his noble Friend proposed to apply to the Irish Peerage. Even if the plan of his noble Friend were not open to objection on that ground it would not effect its object. Even in so large a borough as Birmingham, with its many thousands of voters, arrangements had been skilfully made by which the majority had been able to return all three Members. In the case of a small constituency like that of the Irish Peers, nothing would be easier than for the majority to keep all the seats in their own hands under the plan of his noble Friend. For these reasons the Government could not give their assent to this part of the Bill.

Earl GREY said, the object was to make the Irish Peerage a representative of the Irish nation in that House. At present the representation lay with one particular party, and the consequence was that the Irish Representative Peers in that House were not representative of the Irish Peerage as a body, nor of the Irish nation as a body. Therefore, he quite concurred with the noble Lord who had charge of the Bill (Lord Inchiquin) that some steps ought to be taken to give the minority of the Irish Peers a fair share in the representation. The system which excluded them had frequently been complained of in that House and out of it. If the minority vote proposed by the Bill should be found objectionable the desired object could be secured if the voting was conducted on the principle adopted in regard to school boards. That would confer on the minority a cumulative vote which might be given for one candidate or divided among all the candidates. He thought, however, that the additional seats should be three instead of four—that would prevent the number of representatives from ever being under 28, even while there were two vacancies.

Lord CARLINGFORD thought that the argument put forward by the noble and learned Lord on the Woolsack, showing that the Irish Temporal Peerage had no claim to the four seats formerly possessed by the representatives of a Church which had been disestablished was conclusive; but there was another way of viewing the proposal for the increase—namely, that it was necessary for the representation of the minority, and in that view the arguments of the noble and learned Lord were not so conclusive. He thought that the representation of the minority was so desirable that it ought to be obtained even by some addition to their number; but that addition ought not to be larger than necessary, and he thought an addition of two seats would suffice.

Viscount MIDLETON said, the Bill which had been submitted to the House by his noble Friend (Lord Inchiquin) was one approved by the Select Committee which sat upon Irish and Scotch Peerages. He ventured to think that the demand for an addition to the number of the Representatives of the Irish Peerage was no more than just, having regard to the increase which had been made to the numbers of their Lordships' House generally since the time of the Union. The late Government added on the average one Member to their Lordships' House for every six weeks during its continuance in office. In consequence the arrangement made at the Union had been very considerably disarranged. He should be very thankful to see the introduction by Her Majesty's Government of a comprehensive measure for a reform of the Irish representation—some plan which should do away with the small boroughs, which were simply nests of corruption, and which returned Representatives entirely of one class, to the exclusion of the general opinion of the country. He thought, if they gave a minority vote to the Irish Peerage, they should at the same time give a minority vote to the county constituencies. The opinions of the minority, who were the best educated and most influential class of voters, were now entirely unheard. But surely they had the same right to representation as the minorities of Liverpool, Manchester, and the other large towns of England.

THE EARL OF ROSEBERY said, he did not quite understand the arguments of the noble Lord who had just spoken (Viscount Midleton). In the first place, it seemed rather hard to postpone a measure of justice to the Irish Peerage simply because Irish landed proprietors were not so fully represented in the other House as they ought to be. Neither could he understand the noble Viscount's observations as to the number of Peers created by the late Government. He thought either the calculation of the noble Viscount must be erroneous, or the 40 odd Peers to whom he referred must give a very bad attendance. The noble and learned Lord on the Woolsack had devoted a very elaborate and powerful argument to prove that the proposition of the noble Lord (Lord Inchiquin) could not be carried into effect, and he argued with great force that the vacancies of the four ecclesiastical seats through the Disestablishment could not properly be filled up by the appointment of four Secular Peers. But there was another way of looking at it—namely, that they proposed to change the method of election in Irish Peerages, and he thought it was not too much that under the new circumstances the constituency should be represented by four more Peers. It was quite true that the four ecclesiastical Peers belonged to a Church which had ceased to exist; but besides representing that Church, they represented also largely the interest of Ireland in other matters not ecclesiastical; and he did not think it was a very large demand on the part of Ireland that these four seats should be given back to them. He did not understand the second argument of the noble and learned Lord, founded on the diminished numbers of the Irish Peers—namely, that because the constituency had largely diminished, it would be improper to give additional representation. If that argument were carried out to its logical conclusion, instead of their having 32, or even 28 Irish Peers in the House, the number, according to the showing of the noble and learned Lord, ought to be reduced to 14. The noble and learned Lord also objected to the proposition that the minority principle should not come into operation until there were three vacancies; because, he said, that during the term of suspension there might be a large deficiency in the representation. But if the Irish Peerage was already over-represented, that would be a very equitable measure; whereas, if it was under represented, it was clearly entitled to the additional number of Peers. If the noble Lord who had moved the Amendment (Lord Inchiquin), or the noble and learned Lord who was about to propose one, should press their Motion to a division, he would cordially follow them into the Lobby.

LORD DUNSANY said, it was only right that the few Liberal Irish Peers should have occasionally a chance; and he believed it would be acceptable to the majority—but looking at the question as affecting Party interests, he did not believe it would make the difference of a single vote. For what happened now? A Liberal Peer came forward for election, knowing well that he would be rejected; he did so two or three times, and in the end he obtained an English Peerage. Of course, if the proper number of Representative Peers had been given at the time of the Union, as the constituency diminished so ought the Representatives. But his noble Friend's contention was that at that time the rule laid down in the case of the Scotch Peerage was not followed; if it had been the number returned would have been 53, not 28.

THE EARL OF COURTOWN suggested that all questions of representation should be withdrawn from the Bill. Those questions arose, not only in connection with this clause, but others which followed. They affected the Peerage of Scotland as well as that of Ireland, and it was not a practical way to discuss a matter which affected two parties when it came before the House only as it regarded one.

The Earl of BELMORE said, that he agreed very much with his noble Friend who had spoken last (the Earl of Courtown), and would have been glad if his noble Friend (Lord Inchiquin) had limited the Bill to the 1st clause. But as other matters had been introduced into it, he wished to say a few words. First, with regard to the proposal to add four additional Representative Peers. If the Bill had had for its object the adjustment of the representation to the number of Irish Peers, he should have quite agreed with his noble and learned Friend who usually sat on the Woolsack; but as its object was to reduce the number of Irish Peers not having seats in the House, he was rather of the opinion which the noble Earl opposite (the Earl of Roseberry) had expressed. Then, as regarded the minority vote. He had in the Committee two years ago voted against it; but he had since, as to the theory of the thing, changed his mind, and would be willing to give the minority a fair share of representation. But he had lately looked into the relative numbers of Peers belonging to the two Parties, and he found that the proposal to give the Liberal Peers one seat out of three would be giving them more than their share. There were about 101 or 102 Peers who had no hereditary seats. This, of course, included the Representative Peers, 27 of whom were Conservatives, and one Liberal. But of the remainder, there were, as far as he could make out, only 19 or 20 Liberals, or one in five. The noble and learned Lord had put the total number of Liberal Peers rather too low; for he had yesterday taken the trouble to see how many had been created Peers of the United Kingdom since Lord Grey's Administration in 1831, and he found there had been 12. That would make the total number to exceed 30. There might be some Liberal Irish Peers who had not taken the trouble to prove their Peerages, knowing that their votes would be thrown away. To keep the vacancies open for five terms would, he thought, be a great deal too long. His noble Friend (Lord Inchiquin) had stated that there had been about 78 vacancies in 76 years, or about one a-year, and since he (the Earl of Belmore) had been a Member of the House there had been 21 vacancies in 19 years, or rather more than 1 a-year. But that was only an average, and he remembered a time when there was no vacancy for upwards of four years. In his own case, if he had been first in a batch of three, he would have been kept out of House for six years, for instead of taking his seat in 1857, he would have had to wait till 1863, as the third vacancy did not occur till late in 1862. He hoped that his noble Friend would not press his Amendment to a division, as he would be, though unwillingly, for the reasons he had given, obliged to vote against him.

Lord O'HAGAN said, that having an Amendment on the Paper in favour of the adoption of the cumulative system of representation, he craved permission to say a few words. He thought the necessity for adopting that system in Ireland had become very clear, and he was glad to see it supported by so many Peers of experience in the House. He conceived that there ought to be a reconsideration of the form in which the Irish Peers were elected. They were not discussing the representation of the Irish Peerage, on the question whether it was too large or too small; but the way he looked at it was that owing to accidental circumstances—the vacancies now existing—the House was afforded an opportunity of doing an act of simple grace and justice, and of remedying what many persons of position in Ireland considered a very great grievance. He admitted that, considered in reference to the proportional representation of a constituency, the argument of his noble and learned Friend on the Woolsack was impregnable; and if they were discussing the question of reform of the Peerage of Ireland, he should say that it was sufficiently represented in that House. But, on the other hand, when it was urged that the number of 32 was assigned at the Union, four of them being given to represent the Spiritual Peers, he doubted whether that view was historically maintainable. It was then thought necessary to make the number of the Irish Representative Peers not more than double the number of the Scotch, and the number 32 caused great dissatisfaction to the Irish at that time. He denied the fact that the number fixed upon had any reference to the ecclesiastical Peerage. He hoped the House would do an act of justice to individual Peers who had been permanently wronged by exclusion from the House on political grounds. As to the *modus operandi,* he confessed he was more in favour of the cumulative vote than of that proposed by the noble Lord (Lord Inchiquin); and with reference to the increase of the numbers of the Peers he saw no great harm in waiting until the three vacancies occurred. They must remember that by the Union a large number of Peers, who in all other respects except the relative smallness of the country, held just the same position in Ireland as the Peers of England, were deprived of the advantages they possessed through no fault of their own, but entirely on grounds of supposed necessity and expediency. When, in the negotiations for the Union, the question as to the Irish Peers had to be considered, the King and the Duke of Portland were averse to the transfer of a large number to this House, and therefore the system of representation was adopted. The Irish Representative Peers were not Representatives of any particular section or party, but of the whole Irish Peerage. It was perfectly notorious that a large number of Irish Peers had never at any period been represented. No Peer unless he held certain opinions had the slightest chance of being elected, and all that remained to these noble persons was the barren honour of their titles. They could have no political activity—they could not sit in the other House for any Irish constituency—they were, in fact, deprived of the ordinary rights of citizens. He could not conceive why their Lordships should hesitate to redress this grievance. The time was come to give a full and fair representation to the Irish Peers, and he hoped that the House, disembarrassing the question of any consideration of the increase in the number of the Irish Peerage would, as an act of grace and justice, consent to adopt the cumulative system of representation. The return of all the Liberal Peers who were capable of taking their seats under such an arragement would not affect the balance of parties in this House.

Lord INCHIQUIN, in reply, said, he thought some additional seats should be given, and he should be content with three, as suggested by the noble Earl (Earl Grey). But after the discussion that had taken place he would withdraw the clause, and bring it up with alterations on the Report.

Amendment, by leave of the Committee, *withdrawn.*

Clause *negatived.*

Clause 3 (Representative Peer's seat to be vacated on his becoming entitled to an hereditary seat).

The Earl of BELMORE objected to this clause which provided that a Representative Peer should, in the event of his becoming a Peer of the United Kingdom, cease to sit as a Representative Peer; but as he did not find that his view was likely to meet with much support, he would only move Amendments to prevent its effect being retrospective. He put the matter on the ground of personal right. A Representative Peer was elected for life, and had a right to sit for life in the precedence of his Irish Peerage; and if precedence was worth anything, he thought it hard that if Her Majesty were pleased to create him an English Baron he should lose that precedence. It had been said that he would occupy, in such an event, two seats, but that was not the case, because, unless he were to be promoted to a higher degree in the Peerage of the United Kingdom, although it was true that his name would appear twice on the Roll, he would still sit as an Irish Representative Peer, and his successor would have to be introduced as if he had been himself created. If an Irish Peer in the future chose to become a candidate for the Representative Peerage, having due notice that if Her Majesty were hereafter to create him an hereditary Peer he would lose his seat as an Irish Peer, there was no grievance, and he would merely move an Amendment to prevent the clause being retrospective.

Lord CARLINGFORD said, he was unable to support the clause as it stood, because it was inconsistent with the object which his noble Friend had in view.

Lord INCHIQUIN expressed his willingness to insert the word "hereafter," which would prevent the clause from being retrospective in its operation.

THE EARL OF BELMORE explained that the difference was this, that the word "hereafter" would save the noble Earl (the Earl of Erne) who had been lately created an hereditary Baron. He, on the other hand, wanted to save the rights of all existing Representative Peers. There had been only one case in 37 years or so, of one of them being created an hereditary Peer, and it might be 37 years before another case occurred. He was prepared, however, to limit his Amendment in the sense his noble Friend desired by providing that in case of a promotion to a higher degree in the Peerage of the United Kingdom than that in the Irish Peerage, the Peer should vacate his seat and so not prevent some one else from being elected. There had been no case as yet of a Representative Peer being so promoted, although two noble Lords belonging to the other side, (the Earls of Dartrey and Dufferin), having begun as Irish Barons had become English Earls. He thought it very hard that one who like his noble Friend below him (the Earl of Erne)—he had sat for nearly 40 years, or at any rate for 35 years, as Earl—should now have to go to the bottom of the Roll, having received a barony which was only an advantage to his successor and of no benefit to himself.

EARL GRANVILLE suggested that the clause should be postponed, with a view to its being brought forward in a revised form on the Report.

THE DUKE OF RICHMOND AND GORDON said, he was quite ready to go to a division. He wished to guard himself from being supposed to come to any understanding on the subject.

LORD INCHIQUIN said, he would bring up the clause in an amended form on the Report.

Clause *negatived.*

Clause 4 (Provisions applied to writs under this Act);

Clause 5 (Oath may be taken before any justice of the peace) severally *struck out.*

Clause 6 (A Peer of Ireland not a Representative Peer may be elected to serve in the House of Commons for any county, &c., in Ireland, subject to the same disabilities as now attach on being elected a Member).

THE EARL OF LIMERICK hoped it would be struck out, and not with any idea of its being brought up again on the Report.

EARL GRANVILLE said, he did not object to have Irish Peers enabled to represent Irish constituencies, but thought the proposal, if carried at all, ought to be introduced in the other House of Parliament.

Clause *struck out.*

Clause 7 (Interpretation), *struck out.*

Clause 8 (Short title), *agreed to.*

The Report of the Amendments to be received on *Monday* next; and Bill to be *printed,* as amended. (No. 65.)

House adjourned at Seven o'clock
till To-morrow, a quarter
before Five.

* * *

HOUSE OF COMMONS,

Monday, 1*st May,* 1876.

MINUTES.]—NEW MEMBER SWORN—Edward Stafford Howard, esquire, *for* Cumberland County (Eastern Division).

SUPPLY—*considered in Committee—Resolutions* [April 28] *reported.*

PUBLIC BILLS—*Committee*—Merchant Shipping [49]—R.P.

Committee — Report — Salmon Fisheries * [60].

Third Reading—Publicans Certificates (Scotland) * [115], and *passed.*

PARLIAMENTARY BOROUGHS (IRELAND.)—QUESTION.

MR. STACPOOLE asked the First Lord of the Treasury, Whether it is intended, in the course of the present Session of Parliament, to issue a Royal Commission of Inquiry into the Boundaries of Parliamentary Boroughs in Ireland, and the restoration to that Country of the representative powers taken away by the disfranchisement of Cashel and Sligo?

MR. DISRAELI, in reply, said, it was not the intention, at present, of the Government to issue a Royal Commission.

NAVY—ARREST OF SEAMEN—LEAVE-BREAKING.—QUESTION.

Mr. P. A. TAYLOR asked the First Lord of the Admiralty, Whether he has seen in "The Times" of the 25th instant an account of the penalties incurred by fifty-eight seamen who were arrested by the Kent County Constabulary at Sittingbourne Railway Junction, while on their way back to the Royal Naval Barracks at Sheerness, on the ground that they were either stragglers or deserters; and, whether that account is substantially true, and, if so, whether the Naval authorities at the port acted in accordance with the regulations of the service and have, or will have, the approval of the Admiralty in the alleged course of action pursued by them in the matter?

Mr. HUNT, in reply, said, there were certain statements in *The Times* which required qualification, and there were also certain omissions of facts which, when they were supplied, put a different colour on the transactions. He would read the material part of an official Report on the subject by Captain Darcy Irvine to Vice Admiral H. Chads, dated the 28th of April. Captain Irvine said—

> "I have the honour to report that the men of the Royal Naval Barracks were granted as has been usual each year, with your sanction, the Easter leave. But before they went I assembled them and pointed out the bad effects of the great irregularity of leave-breaking, and urged them to return punctually; and, moreover, in order to get them to do so, I stated I would obtain an extra day's leave for them, so that all excuses, as at other times given, would not be required. Before dismissing them, I distinctly made it known to all that if they broke faith I would administer the full rigour of the law. The usual Easter leave consisted of five days, and on this occasion it was extended to six. The greater proportion of men returned to their time, but a most unusual number, notwithstanding the extra day given them, did not. I, still considering the holiday time of year and the chance that a train might have been missed, ordered no notice to be taken of their absence, until they had had ample time and opportunities of returning. Finding after the arrival of the second train the stragglers had not returned, I ordered their descriptions to be sent out (*vide* Post Orders), and offered £1 reward as permitted by chap. 27, art. 3, par. IV., page 213, of the Admiralty Instructions. On inquiry, I found out the greater number of the stragglers were captured at Sittingbourne during the lapse of 24 hours, where I presume the constabulary stationed themselves, knowing it was the high road to Sheerness. The stragglers may or may not have been returning to the barracks at that time; but, in any case, they were stragglers and subject to the law. I have reason to believe a very large portion of the men arrested had no intention of coming straight into the barracks on their arrival at Sheerness, so, had they not been captured at Sittingbourne, their offence of leave-breaking would have been worse. Out of the number arrested (34) the police had occasion only to handcuff four who were most troublesome. On their return to-day they received the punishment according to the scale laid down in the Summary Punishment Table, Admiralty Regulations, and customs of the Service. The defaulters had nothing to say but that they fully deserved the punishment awarded them. The number arrested was 34, and not 58. Some were taken at Sittingbourne, others at Sheerness and the country about."

Whether the handcuffing was a justifiable proceeding he had not sufficient information at present before him, though he should be extremely sorry that resort should be had to such a proceeding against seamen, unless it was rendered necessary by their own conduct. The other punishment awarded to the men was in accordance with the Admiralty regulations.

ARMY—YEOMANRY ADJUTANTS.

QUESTION.

Mr. RIDLEY asked the Secretary of State for War, What, according to the proposals in the Army Estimates, would be the total amount of the pay of Adjutants attached to the two classes of larger and smaller yeomanry regiments respectively, inclusive of all allowances except the £2 per troop travelling allowance; what is the number this year of regiments of each class; and, what is the proposed increase to the pay or allowances of non-commissioned officers of the permanent staff?

Mr. GATHORNE HARDY: Sir, the total amount, less the £2 per troop travelling allowance, will be—for the first class, 15*s*. 7*d*. a-day; and for the second class, 12*s*. 7*d*. a-day. There are 24 regiments in the first class and 10 in the second—equal to £9,121 19*s*. 2*d*. The increase to each non-commissioned officer who is not serving to complete his Line engagement will be £6 1*s*. 8*d*. annually, and a daily allowance of 4*d*. on account of lodging. Non-commissioned officers completing their Line engagements receive no addition to their Line pay and allowances.

MERCANTILE MARINE—MERCHANT SEAMEN DESERTERS.
QUESTION.

CAPTAIN PIM asked the Under Secretary of State for Foreign Affairs, If he has any objection to name those Foreign Countries with which Treaties exist for the apprehension of Deserters from ships under the British Flag?

MR. BOURKE: Arrangements, Sir, in the shape of Treaties, Conventions, Agreements, Declarations, or Notes, exist between this country and the following foreign Powers for the mutual surrender of merchant seamen deserters: — Austria, Belgium, Brazil, Chili, Colombia, Denmark, France, Greece, Hanse Towns, Honduras, Italy, Madagascar, Mecklenburg - Schwerin, Morocco, Netherlands, Nicaragua, Oldenburg, Peru, Portugal, Prussia, Russia, Salvador, Sandwich Islands, Siam, Spain, Sweden, Tunis, Turkey.

EXTRADITION—UNITED STATES—CASE OF WILMSLOW.
QUESTION.

SIR HENRY JAMES asked the Secretary of State for the Home Department, Whether there is any objection to place before the House Copies of the proceedings in relation to the application for the extradition of Wilmslow; and, of the Correspondence which has taken place between Her Majesty's Government and that of the United States in reference to the same subject?

MR. ASSHETON CROSS: Sir, of course there can be no objection to placing all Correspondence and all Papers upon the Table of the House in due time; but the noble Lord the Secretary of State for Foreign Affairs agrees with me in thinking that the production of them at the present time would be injurious to the public interests.

RIVERS POLLUTION—THE CLYDE.
QUESTION.

MR. RIPLEY asked the Secretary of State for the Home Department, If he will order the Report of Sir John Hawkshaw, on the purification of the Clyde, to be printed and circulated?

MR. ASSHETON CROSS, in reply, said, on the 21st of March he had directed the Report on the purification of the Clyde and other rivers to be printed and circulated; and he could not account for the delay in issuing it, unless it were the time that was required for the production of the plans.

NATIONAL EDUCATION (IRELAND)—TEACHERS' SALARIES.—QUESTION.

CAPTAIN NOLAN asked the Chief Secretary for Ireland, What amount per head of the population it is estimated will be payable next year from the Imperial Exchequer, under the heads of Salaries to Teachers and Monitors, and in Results Fees in Irish Schools situated within the Poor Law Unions non-contributory, under the National Teachers' Act, 1875?

SIR MICHAEL HICKS-BEACH: I fear, Sir, that the precise information desired by the hon. and gallant Member could not be given without considerable labour and expense, because the accounts, as they now stand, do not show how much of the total amount paid in salaries to teachers and monitors goes to teachers and monitors in non-contributory Unions. But the amount per head of the population of the whole of Ireland payable on this account is, I am informed, nearly 1*s.* 6*d.*, while in contributory Unions about 5½*d.* per head of the population is estimated for payments by way of results fees, and about 2¾*d.* in non-contributory Unions for the same purpose.

PUBLIC HEALTH (IRELAND)—CITY OF DUBLIN.—QUESTION.

MR. O'LEARY asked the Chief Secretary for Ireland, Whether he is aware that, at the meeting convened by the Public Health Committee of the Corporation of Dublin eleven medical sanitary officers who attended unanimously reported—

> "that the high death rate of Dublin was in a great measure due to the unsanitary state of the houses, to remedy which a new Building Act and the application of the Artizans Dwellings Act were urgently required, and that all houses hitherto condemned by the medical sanitary officers already reported upon should be closed;"

whether he is aware that such Report has never been published; whether any further Reports have been received by the Public Health Committee; and, if so, what practical suggestions are contained in them towards the abatement of the causes of the inordinately high death rate of Dublin; and, whether it is a fact that but one member of the Public Health Committee attended from the commencement of the proceedings (who occupied the chair), and that but two other members were present for a short time previous to close of conference?

Sir. MICHAEL HICKS-BEACH: Sir, I must first state that all the information I can give the hon. Member on the subject is derived from the Local Government Board, and that the Government are only connected with it through the general supervision exercised by the Local Government Board over sanitary matters in Ireland. I am informed that the meeting to which the hon. Member refers was convened on the 15th of March, and was a meeting of medical sanitary officers, attended by two members of the Public Health Committee, one of whom was in the chair; by Drs. Mapother and Cameron, the consulting sanitary officer and medical officer of health; and by 11 out of 14 medical sanitary officers. A lengthened discussion arose on the questions referred to the meeting, and at its close Dr. Mapother undertook, with the concurrence of the meeting, to draw up for the Public Health Committee a statement of what had passed, which he subsequently presented to the Committee. After the close of the meeting, five gentlemen who had attended it, after an informal discussion, adopted recommendations of the kind referred to in the hon. Member's Question; but, of course, those recommendations were not published, not having been adopted by the meeting itself. I am informed that since that time other reports have been received by the Public Health Committee, and I shall be happy to show the hon. Member their purport, though I cannot trespass on the time of the House by reading them.

LAW AND JUSTICE—IRISH ANTE-UNION STATUTES.—QUESTION.

Mr. P. SMYTH asked Mr. Attorney General for Ireland, If in the Bill he proposes to introduce for the repeal of certain ante-Union statutes he will include the Act of the Parliament of Ireland known as the Convention Act; and if the said Act be not now operative as Law in Ireland?

The SOLICITOR GENERAL for IRELAND (Mr. Plunket): Sir, although I am not the Attorney General, I hope the hon. Gentleman will allow me to reply to the Question. The Act to which the hon. Member refers, commonly called the "Convention Act" is still in force, and it is not the intention of the Government to deal with it as repealed in any Bill which may be introduced for the revision of the Irish ante-Union statutes.

SPAIN—CASE OF THE "OCTAVIA." QUESTION.

Mr. Serjeant SIMON asked the Under Secretary of State for Foreign Affairs, Whether information has been received at the Foreign Office as to the seizure in March last of the British ship "Octavia" by a Spanish steamer, and of the detention of the vessel and crew at Porto Rico; whether the captain and some of the crew have been imprisoned; and, what steps will be taken by the Government in the matter?

Mr. BOURKE: From the time when the capture of the *Octavia* about six weeks ago, became known, prompt steps were taken with respect to it by the British Consul at Porto Rico, and by the naval authorities on the spot. When the circumstances were communicated to Her Majesty's Government they immediately put themselves in communication with the Spanish Government through Her Majesty's Minister at Madrid. The result has so far been that all the British subjects have been released, and orders have been sent to release the captain, who is a German, and his family; but the vessel and her cargo and three persons alleged to be Cubans are still detained for adjudication before what is called a "Prize Court." Representations have been made upon the subject, and negotiations are still going on. We have no reason to believe that the captain was put in irons, or that the crew were ill-treated.

PARLIAMENT—COMMENCEMENT OF PUBLIC BUSINESS.—OBSERVATION.

Mr. DISRAELI: I may as well, Sir, state now at what hour we think it may be expedient that the House should meet for the despatch of Business. As I have not heard from any hon. Members any objection to the suggestion that was made last week, I will conclude, in the absence of anything to the contrary, that it will be convenient that the House should meet for the despatch of Public Business in future at a quarter-past 4 o'clock instead of commencing at half-past 4. I may also state that in the event of the Merchant Shipping Bill not getting through Committee to-night we propose to have a Morning Sitting to-morrow. I make that statement in the hope that in consequence of the Morning Sitting we may conclude the Committee on the Merchant Shipping Bill, so as to enable us on Thursday to take the Prisons Bill and the Education Bill. I propose that the change as to the hour of meeting for Public Business should commence on Monday.

MERCHANT SHIPPING BILL—[BILL 49.]

(*Sir Charles Adderley, Mr. Edward Stanhope*).

COMMITTEE. [*Progress 28th April.*]

Bill *considered* in Committee.

(In the Committee.)

Clause 24 (Contribution from Mercantile Marine Fund to Training Ships).

SIR CHARLES ADDERLEY said, that as several hon. Members were of opinion that this clause dealt very partially with the question of training ships, he should prefer to withdraw it rather than occupy any time in discussing it.

MR. W. HOLMS withdrew an Amendment which he had on the Paper respecting the clause.

MR. SHAW LEFEVRE thought that the right hon. Gentleman had exercised a wise discretion in withdrawing the clause, and, as Clause 25 had some affinity with it, he would suggest that the next clause should also be withdrawn, so that the Bill might be confined to the subject of the material of ships only. He would express a hope that, with a view to dealing by a separate measure with training ships, a small Royal Commission would be appointed to inquire during the interim into the subject of the training of seamen.

LORD ESLINGTON supported the suggestion for an inquiry during the ensuing Recess, and withdrew an Amendment which he had placed on the Paper with reference to the clause which, he was glad to hear, was to be withdrawn.

MR. MACDONALD also withdrew an Amendment he had on the Paper, expressing his satisfaction that the clause was to be withdrawn, and a hope that the President of the Board of Trade would give an assurance that he would deal with training ships separately.

SIR CHARLES ADDERLEY said, he had been disappointed as to the way in which the shipowners met a proposal which he made on this subject in a Circular that was sent round to them some time ago, and that it was that which had induced him to propose the clause. He hoped to meet with more encouragement another year. The question should have his attention.

Clause, by leave, *withdrawn.*

Certificates of Health.

Clause 25 (Expenses incurred for seamen left abroad who have been engaged without certificates of health), by leave, *withdrawn.*

Miscellaneous.

Clause 26 (Enforcing detention of ship).

SIR CHARLES ADDERLEY moved, as an Amendment, in page 13, line 36, to leave out from "authority" to "shall," in line 37, and insert "the master of the ship and also the owner and any person who sends the ship to sea if party or privy to the offence."

MR. PLIMSOLL thought that the words "if party or privy to the offence" had better be omitted. Such words would afford a large loophole for escape.

SIR CHARLES ADDERLEY said, he could not accept the proposal, as he believed that the words were necessary. The penalty should not attach if there was no privity to the offence, as was possible.

Amendment *agreed to.*

On the Motion of Mr. T. BRASSEY, Amendment made in page 13, line 38, after "misdemeanor" by inserting "and the owner shall forfeit and pay to Her Majesty a penalty not exceeding one hundred pounds."

Other Amendments made.

Clause, as amended, *agreed to.*

Clause 27 (Ship's managing owner or manager to be registered).

On the Motion of Sir Henry Holland, Amendment made in page 14, line 18, by leaving out from begining of line to "the ship's," in line 19, and inserting—

> "the managing owner whose name is so registered shall be resident in the United Kingdom, and be either the sole owner of the ship, or, if there are two or more owners, one of those owners; and where there is no such managing owner as aforesaid there shall be so registered the name of some one person resident in the United Kingdom, who is."

Sir HENRY HOLLAND moved, as an Amendment, in page 14, line 21, to leave out from beginning of line to end of clause, and insert—

> "The person whose name is for the time being so registered in pursuance of this section shall be deemed to be the managing owner within the meaning of this and any other Act relating to Merchant Shipping.
>
> "If at the time at which the ship leaves any port in the United Kingdom the name and address of the managing owner at that time are not registered in accordance with this section, the owner of the ship, or, if there are two or more owners, each owner shall be liable to a penalty not exceeding one hundred pounds."

Sir CHARLES ADDERLEY approved the Amendment on the ground that it enabled magistrates to inflict the penalties which might be incurred proportionately upon the several owners of ships.

Mr. E. J. REED hoped that the Amendment would not be accepted as it stood, because it would press hardly where there was distributed ownership. It would be very hard to make persons who were merely nominal owners liable to a penalty of £100, and it would have the effect of preventing people investing their money in ships.

Mr. WATKIN WILLIAMS considered that the Amendment was in favour of latent owners of ships. As the clause now stood, the ships might be detained and all the owners would suffer equally thereby; but the Amendment proposed the alternative of a maximum penalty of £100, and the tribunal before which the case was brought could be trusted to use common sense, and would no doubt apportion the penalty according to the real responsibility of the parties, so as to meet the justice of the case.

Mr. WILSON objected to the proposal as harsh, and observed that there were often so many joint owners that the gross penalties might in some cases exceed the value of the ship.

Sir CHARLES ADDERLEY accepted the Amendment, as it left a discretion not exceeding a maximum.

Mr. SAMUDA suggested that the object would be attained by making the penalty fall upon the principal owners, but not upon the small owners as well.

The ATTORNEY GENERAL said, that the difficulty would be to find out who was the principal owner; besides, there would be full power to mitigate the penalty.

Mr. E. J. REED observed that the Government had explained that their object was to do nothing in restraint of trade; but surely a person who had only a small interest in a ship would, when he found himself exposed to a penalty of £100, be inclined to part with such interest.

Mr. MUNTZ said, the effect of the Amendment would be to inflict serious damage upon small shipowners.

Mr. HERSCHELL said, the Amendment would prove beneficial rather than otherwise to shipowners. The loss by detention would be much greater than the infliction of penalties, in many instances, of a nominal character.

Mr. T. E. SMITH said, the Government proposition, which the Committee had rejected, was far more preferable than the clause or the Amendment.

Mr. WILSON proposed to amend the Amendment by striking out the words "each owner," and inserting "any one of such owners" should be liable to a penalty not exceeding £100.

Mr. PLIMSOLL said, he would rather take the original proposition of the Government, and with that view he would move the omission of the second part of the Amendment in order to insert the following words, which were originally part of the clause, namely—"If default is made in compliance with this section the ship shall be detained until complied with."

Mr. WILSON said, he would withdraw his Amendment.

Amendment (*Mr. Wilson*), by leave, *withdrawn.*

The CHAIRMAN said, he had some doubt whether it was competent for the Committee to re-introduce a portion of a clause which the Committee had already struck out. It was not a practicable or convenient course to pursue. The hon. Member for Derby could move the omission of the latter part of the Amendment of the hon. Member for Midhurst and then propose other words.

SIR CHARLES ADDERLEY preferred the Amendment of the hon. Baronet the Member for Midhurst as it stood to the alteration of it proposed by the hon. Member for Derby. The clause was taken from the temporary Bill of last Session; but instead of making an aggregate, *pro rata*, penalty of £500, it was thought better after six months' experience to leave the penalty on each owner in the discretion of the Court.

MR. SAMUDA suggested that the clause should be postponed, and that on the Report the Government should reinstate the words that had been struck out.

SIR HENRY HOLLAND said, he could not see that the Amendment was not in favour of the shipowner, although he had listened attentively to the arguments which had been adduced by hon. Gentlemen opposite.

MR. WATKIN WILLIAMS thought it would be a great mistake to omit the latter portion of the Amendment. He hoped his hon. Friend opposite (Sir Henry Holland) would stick to his Amendment, and that the Government would support him.

LORD ESLINGTON said, the wording of the original clause of the Government was much more intelligible than the proposed Amendment.

MR. MUNTZ suggested that the Amendment and the clause should both be withdrawn and another clause brought up by the Government on the Report.

MR. MAC IVER expressed himself in favour of that mode of proceeding.

THE CHANCELLOR OF THE EXCHEQUER thought they would only get into confusion if they went to a division on some of those cross Amendments, and he frankly owned that he did not know what they were going to divide about. It seemed to him that the real point was, in what form should the penalty appear? As far as he understood, the Committee had decided against the principle of detention, and the question now was, were they to insist upon the principle of penalty? According to the existing Act, the principle was that each owner, if there were more than one, should be liable to the extent of his interest in the ship; but whether that was the best way of settling the difficulty, or whether the way proposed by the hon. Member who had moved an Amendment on the subject, was preferable, would be a question for further consideration. What he would suggest was, that the Committee should accept the Amendment, as it then stood, of the hon. Member for Midhurst, which embodied the principle of penalty, and then they could subject its terms to such revision as might be necessary, in regard to the mode of imposing the penalty, on the Report.

MR. PLIMSOLL expressed his willingness, after the statement of the right hon. Gentleman the Chancellor of the Exchequer, to withdraw his Amendment to the proposed Amendment.

MR. WILSON thought they ought not to pass a clause which they thought was wrong.

MR. WYKEHAM MARTIN suggested that the whole clause should be postponed.

THE CHAIRMAN pointed out that if the Amendment of the hon. Member for Derby was withdrawn the hon. Member for Hull might then move his Amendment.

MR. NORWOOD considered the clause a very good one as it stood.

Amendment (*Mr. Plimsoll*) *negatived.*

Amendment (*Sir Henry Holland*) *agreed to.*

Clause, as amended, *agreed to.*

Clause 28 (Fees, salaries, and costs.)

MR. GOURLEY moved, as an Amendment, in page 14, line 32, to leave out the word "continue."

MR. SHAW LEFEVRE supported the Amendment, which would have the effect of keeping the fees, salaries, and costs under the supervision of Parliament.

SIR CHARLES ADDERLEY thought it better to adhere to the clause as it stood.

Amendment *negatived.*

On Question, That the Clause be agreed to?

MR. E. J. REED said, that the Board of Trade appeared to him to be acting greatly in error in the appointment of its special officers. It seemed to be presumed by the heads of the Board that a man whose business it was to navigate or work a ship was of necessity the proper man to inspect her hull and boilers. No greater mistake could be made, and it had proved a costly one in some instances; for he remembered an action being brought against the Board of Trade in consequence of a wrong opinion given by one of its officers respecting a ship's boiler, and it was only then his incompetence was discovered. Why should they not appoint for the inspection of a ship's hull a man who understood ship-building, and for the inspection of her boilers a man who understood boilers? At present the consequence was that the most incompetent men were in places where they obtained the highest salaries, and really efficient ones were inadequately remunerated.

Sir CHARLES ADDERLEY said, it was not the duty of the officers in question generally to inspect hulls and boilers, but to see that properly-qualified persons made the various inspections efficiently. The object had been to get the most efficient officers to represent the Board of Trade locally in different districts, and their business was to superintend everything done in their districts, and to maintain order. He had 10 such appointments to make, and had received more than 1,000 applications for them. He went very carefully through the applications, and the men he had chosen had, he believed, given general satisfaction.

Mr. E. J. REED said, he could assure the right hon. Gentleman that some of the Inspectors did not reflect credit on the Department; for when a man who was inspecting a ship betrayed his ignorance of the principles of construction, he became a laughing-stock.

Mr. RYLANDS said, the clause contemplated the appointment of a large staff of officials, many of whom would hereafter be found to be inefficient, and the whole of whom would be unnecessary if the President of the Board of Trade would recognize two or three great companies, as the hon. Member for Derby wished to do.

Question put, and *agreed to.*

Clause 29 (Legal proceedings in cases of offences) *agreed to.*

Clause 30 (Application of Act to Scotland).

The LORD ADVOCATE moved, as an Amendment, in page 15, at end of line 16, to insert as a separate paragraph—

"The provision with respect to a prosecution not being instituted except by or with the consent of the Board of Trade, shall not apply."

He stated that his object was to make the Bill applicable to the law of Scotland. In this country the consent of the Board of Trade would be required for a prosecution; but in Scotland the consent of the Lord Advocate would be required.

Mr. NORWOOD inquired whether a private individual would be able to institute a prosecution in Scotland? because if so, the Scotch shipowners would be placed in a worse position than the English shipowners.

The LORD ADVOCATE said, his consent must be first obtained.

Amendment *agreed to;* words *inserted.*

Clause, as amended, *agreed to.*

Clause 31 (Application of Act to Ireland) *agreed to.*

Repeal.

Clause 32 (Repeal of Acts).

On the Motion of Sir Charles Adderley, Amendment made in page 15, line 32, by leaving out "passing," and inserting "commencement."

Clause, as amended, *agreed to.*

Postponed clause 16 (Entry of deck cargo in official log).

Sir CHARLES ADDERLEY said, that the clause, which had been postponed, was not of great importance, and he proposed to withdraw it.

Clause *negatived.*

New Clauses.

On the Motion of Sir Charles Adderley, the following new clauses were *agreed to,* and *added* to the Bill:—

Page 1, after Clause 2, insert the following Clause:—

"This Act shall come into operation on the first day of October 1876 (which day is in this Act referred to as the commencement of this Act)."

After Clause 23, insert the following Clause:—

(Place of investigation.)

"A formal investigation into a shipping casualty may be held at any place appointed in that behalf by the Board of Trade, and all enactments relating to the authority holding the investigation shall, for the purpose of the investigation, have effect as if the place so appointed were a place appointed for the exercise of the ordinary jurisdiction of that authority."

After Clause 31, insert the following Clause:—

(Application of Act to Isle of Man.)

"In the application of this Act to the Isle of Man,—

'Judge of a county court' shall mean the water bailiff; 'Stipendiary magistrate' shall mean a high bailiff; 'Registrar of a county court' shall mean a clerk to a deemster or a clerk to justices of the peace; 'A master of the Supreme Court of Judicature' shall mean the clerk of the rolls.'"

Mr. GORST said, he would point out that the Merchant Shipping Act of 1854, which was referred to in the 12th clause, applied to the Channel Islands; but that in those Islands there were no County Courts, or Registrars of County Courts; and that, consequently, if the Bill was to be carried out, some special provision was necessary for the case of the Channel Islands.

The ATTORNEY GENERAL promised that the point should receive attention.

Sir CHARLES ADDERLEY moved the addition to the Bill of a new clause dealing with the deck loading of timber. It provided that during the winter months a ship, British or foreign, arriving at any port in the United Kingdom should not, while subject to British jurisdiction, carry upon or above any part of the upper deck any heavy timber as cargo or any light timber to a height exceeding three feet above the deck, under a penalty of £5 for every cubic foot of timber so carried; the penalties not to exceed £100 and to be recovered on summary jurisdiction, the clause not to apply to any ship putting into port through stress of weather or for repairs. It was, he said, a clause of great gravity and entire novelty. It had never been proposed before to impose a penalty on a foreign ship for a particular mode of carrying cargo into our ports; and in this case it was professed to be done solely in the interest of the preservation of life and to check a dangerous loading. He had adopted for imposts, as far as he could, the exact terms of the Canadian Law prohibiting the export of deck-loaded timber. There was export of heavy machinery on deck sometimes from the East Coast of England, but the Merchant Shipping Law was sufficient to deal with that kind of deck-loading, and the general powers of the Board of Trade surveyors were ample for checking every kind of improper loading from our own shores. The provision against winter deck-loading of timber was not limited to the Atlantic trade, and he hoped that the penalty being general would not prejudice the trade of any particular nation. There were provisoes by which the new regulations would not press unfairly upon home or foreign ships, and as it was not proposed that the clauses should come into operation before the 1st of January, he had no doubt that foreign Governments would make arrangements to meet the change.

New Clause—

(Penalty on ships carrying deck loads of timber in winter.)

("From and after the day of , a ship, British or foreign, arriving at any port in the United Kingdom, which has sailed from any port beyond the limits of the United Kingdom after the first day of October or before the sixteenth day of March in any year, shall not, while subject to British jurisdiction, carry upon or above any part of the upper deck of the ship not included within the limits of any permanently closed in space which is available for cargo, and included in the registered tonnage of such ship:

"Any pitch pine, mahogany, or other heavy wood, nor any timber of any other description to a height exceeding three feet above the deck.

"If any timber is carried by any ship, in contravention of this section, the master of the ship and also the owner, if he is privy to the offence, shall be liable to a penalty not exceeding five pounds for every hundred cubic feet of timber so carried, and such penalty to an amount not exceeding one hundred pounds (whatever may be the maximum penalty recoverable) may be recovered on summary conviction.

"Provided, That a master shall not be liable to any penalty, under this section, in respect of any timber or spars which he has considered it necessary to place or keep on deck during the voyage on account of the springing of any leak or of any other damage to the ship received or apprehended.

"Provided also, That nothing in this Clause shall affect any foreign ship coming into any port of the United Kingdom under stress of weather, or for repairs, or for any other purpose than the delivery of her cargo,")—(*Sir Charles Adderley*,)

—*brought up*, and read the first time.

On Question, "That the Clause be now read a second time?"

Sir WILLIAM HARCOURT said, when they recollected what occurred the other night they might congratulate themselves on the progress which had been made in the meantime. What the right hon. Gentleman the President of the Board of Trade and the hon. and learned Attorney General had declared could not be done last Monday night the Government had now come to the conclusion could be done. Time might have been saved if the Government had then given their assent to the course which happily they were now proposing. It was impossible to give an opinion upon all the details of these clauses at once; but they dealt, as it appeared to him, in a fair way with an important question. The only objection which at that stage he felt inclined to make was, that the penalties would have to be levied by the magistrates for any infraction of the law. It would be better if the duty were left to the Customs officers in the case of foreign ships. They were accustomed to deal with foreigners, while our own seamen could be dealt with by the magistrates. He also thought it would be better if, with reference to foreigners, a more indirect method of enforcing what they desired could be adopted, such as by providing for forfeiture in certain cases instead of the infliction of penalty, or by prohibition of entry. He further wished to point out that, while they were dealing with deck-loading and overloading, they were leaving grain-loading undealt with as regarded foreign ships. They must alter the grain-loading provisions, because regulations which might do very well for vessels coming from North America or the Baltic would not apply to vessels coming round the Cape of Good Hope and Cape Horn, and appointed to arrive in this country in summer.

Mr. T. E. SMITH begged to point out to the hon. and learned Member that deck loads were to be continued to the height of three feet with the exception of special cases, which were excluded, of ships carrying heavy sorts of timber. If they were to deal effectively with deck loads, however, he thought they must abolish them altogether in the winter without regard to whether the woods were light or heavy. With regard to ships coming from the Antipodes, there was no timber trade developed there with this country. When the proper time came he should divide the House on the question of deck loads.

Lord ESLINGTON said, he would refer to the efforts which had been made in the countries in the North of Europe to deal with the question of overloading. A conference had been held at Copenhagen last year with the special object of considering this question of deck loads, and a resolution had been agreed to at that conference embodying the spirit of this legislation as far as Danish vessels were concerned, and expressing a hope that similar measures would be adopted by all the maritime nations. He had also received letters from two influential associations of Norwegian underwriters at Christiana and from a large merchant in Canada in favour of the total prohibition of timber deck loads.

Mr. PLIMSOLL wished to add to what had fallen from the noble Lord opposite (Lord Eslington) that the House was not under the same compulsion as the Canadian Assembly in this matter. They were merely dealing with the ports of the United Kingdom, and they would make a great mistake if they enacted the restriction upon the principle of deck loading which Canada had reluctantly, and under peculiar circumstances, been obliged to admit. He would again urge the right hon. Gentlemen the President of the Board of Trade to prohibit deck loads of timber or wood goods altogether in winter, in which case he ventured to think that there would be such a diminution in the loss of life as would fully justify the prohibition. He thought it would be better to fix the prohibition from the 15th of September than from the 1st of October in each year, the former date being that fixed upon by the insurance companies as the beginning of the dangerous season.

Mr. GORST thought that the Government ought to be congratulated upon having produced a clause, the principle of which was so generally acceptable to the Committee; but still there was the question whether that clause would be an effective one. The foreign owner would be generally out of our jurisdiction; and, practically, the only person upon whom the penalty would be imposed would be the captain, who would probably be unable to pay it. He (Mr. Gorst) thought, therefore, something should be done so as to attach a penalty to the ship itself. A foreign ship making for a British port in stress of weather would, of course, by the law of nations, be exempt from this penalty, but he (Mr. Gorst) would ask why should the penalty only apply to a ship which came into port to land her cargo, and not to those which came there for orders, to land passengers, and for many other purposes.

Sir HENRY JAMES thought that the Government had acted boldly and courageously in endeavouring to carry out the views of the hon. Member for Derby (Mr. Plimsoll); but the clause was a very serious one, affecting not only deck loading, but also our international relations with foreign countries. For the first time, we were setting the example of legislating for offences committed out of our jurisdiction; because the offence would be committed when the cargo was placed on deck, and by persons who were not subject to our law, and who were ignorant of it. Had not shipowners reason to fear that this principle might be acted upon by other Governments, so that other countries might impose their own municipal law upon our merchants? In this way ship or cargo might be confiscated: for when once that principle was admitted, we could not object to the amount of penalty which foreign States chose to impose. Again, the penalty of the clause upon the foreigner would substantially mean imprisonment. The master of the ship would really be the person who would be liable; and he might reasonably say that he would not pay, because he had not loaded the vessel, or perhaps he would have no money and therefore he would have to go to prison. Foreigners in that way would learn that they would be sent to prison, though what they had done was no breach of their own law, and, simply, because they had broken a law of our own of which they never heard.

Mr. PLIMSOLL said, that the restrictions which the hon. and learned Gentleman feared were already in operation against us; and in the Russian ports, a considerable portion of the Revenue was derived from vexatious regulations framed for the purpose of involving British vessels in liabilities to fines. The evils, therefore, which it was predicted would be created by this clause were in point of fact already in existence. The clause would be known everywhere 24 hours after it was adopted in the House, and there would be no difficulty in dealing with the matter as proposed by the Government. Every owner of a ship which was coming to this country would know from his agent here what our laws were; and it would really be just as easy to legislate for foreign as for British ships when they came into our own ports. Beyond that we should not supply any motive for retaliatory legislation, because we should only deal with foreign ships just as we dealt with our own.

Mr. NORWOOD said, allusion had been made in the course of the debate to the regulations imposed by Russia in regard to deck loading. He thought he was entitled to speak with authority on the subject. There were no regulations in Russia which affected the loading of ships in the slightest degree. There were regulations with regard to the hours of loading and certain Customs regulations, but there was no regulation which enabled the Russian Courts to take cognizance of the loading of ships. As a shipowner, he ought to be in favour of the clause, yet he felt it was his duty to stand up in his place and say that he thought a more dangerous, and a more high-handed clause had never been submitted to the House of Commons. The clause meant that a vessel belonging, for instance, to the United States might load her cargo in accordance with the special regulations of her country, but on her safe arrival at a British port she was to be told—"You know so little about your business that we will not permit your vessel to come into our ports loaded in a certain manner, however suitable you you may consider it to be, without penalty." A deck cargo might be dangerous to a ship of one kind of build, which would be an element of safety to a vessel of another build. In a deep ship it might be dangerous, while in another it might have the effect of raising the centre of gravity and giving additional security to the vessel. He thought they were entering upon rash legislation, and the Government were taking upon themselves a deep responsibility without sufficient consideration. He maintained that they had no right to interfere with the manner in which foreign nations brought their cargoes into British ports. He knew of no parallel instance in any part of the world. Canada did not attempt to dictate as to how other countries should bring their cargoes, but simply said—"You shall load cargoes here under certain conditions." That he thought was the only limit to which we in this country could safely go. We could compel ships to load cargoes in our ports in accordance with our municipal arrangements; but after a ship had loaded in accordance with its own nation's regulations, and proved by its arrival that it had done so with perfect safety, to tell the captain of that ship that he was not to discharge the cargo in a port of the United Kingdom without a penalty was, he thought, the most offensive way to other nations in which a clause could be put. The clause as it now stood was entirely unprecedented, and would establish a most dangerous precedent. Norway and Sweden would be the countries chiefly affected by the clause, and we might find ourselves retaliated upon by a regulation not to allow our threshing machines or any deck cargoes whatever to be discharged in their ports. It was unwise and absurd to place timber cargoes from the other side of the Atlantic on the same footing as cargoes from Sweden and Norway. The one case involved a long and tedious voyage which might occupy months, while with a favourable easterly wind a little Norwegian ship would run across in a few days. They were treating all vessels with the same iron rule, and although it might be contrary to the interests of his shipowning constituents, he must be allowed to say that such interference with foreign shipping was wrong in principle—dangerous in practice—and that the Government would be the first to feel the error of their ways.

Mr. T. BRASSEY said, that the clause had been brought up in deference to the almost unanimous expression of opinion on Monday evening; and it was therefore somewhat hard that opposition should now be raised against it. [Mr. Norwood said he had protested against the clause at that time.] He was sorry that it had been found necessary to impose the same restrictions upon deck cargoes of timber coming from Norway as upon similar cargoes that might be brought across the Atlantic. A deck cargo of timber might be a source of danger in an Atlantic voyage, and yet be carried with perfect safety in the summer across the North Sea. It must, however, be obvious that the restriction now proposed would impose a very slight burden upon the consumer, while he was confident it would have the effect of saving many lives and preventing much suffering among seamen.

Mr. SHAW LEFEVRE said, the principle embodied in the clause was a perfectly new one, and it was for Her Majesty's Government to say whether they were prepared to accept the full responsibility of it. Speaking personally, he had serious fears on the subject. He believed it would be found that the attempt to put penalties upon ships entering our ports which had loaded according to the laws of their own country, and which had safely crossed the sea, could not be sustained. It was, in his opinion, contrary to the principles of International Law and to the stipulations for equal treatment in all treaties with other Powers. In the first instance, it was proposed only to apply the principle to deck cargoes coming to this country from across the Atlantic or from Asia, but now it had since been found necessary on account of our treaties, not in the interest of safety of life, to extend its operation to vessels bringing timber from ports no further distant than the North of Europe. The trade with Norway for timber was, he believed, carried on almost wholly by Norwegian vessels. We were thus involved in legislating for Norwegian vessels rather than for our own. He could not see where the line was to be drawn if it was attempted to extend the operation of the clause beyond British ships—a limitation he thought the Government would have acted wisely in adopting. The Government clause introduced the new and dangerous principle of interfering with foreign vessels in our ports, and might involve us in most serious difficulties with foreign nations.

Mr. WATKIN WILLIAMS said, he was grateful to the Government for having in the clause adopted, in a loyal and manly manner, a principle for which he and others had been pertinaciously struggling for a long, and he thought that hon. Members, instead of raising querulous objections to the clause should with equal loyalty endeavour to assist the Government in overcoming the difficulty in the way of carrying that principle into effect. The objection that it would be unwise to subject the captains of foreign ships to penalties might be met by Customs' regulations prohibiting deck cargoes and rendering them liable to seizure. It was the business of persons trading with foreign nations to ascertain its laws and regulations.

MR. EVELYN ASHLEY also thanked the Government for the manner in which they had dealt with the subject, and thought that they had been subjected to very unjust attacks for having introduced the clause in compliance with pressure brought to bear upon them from all parts of the House. He did not for a moment believe that the clause would raise any difficulty with foreign nations when it was considered that its object was humane, and was to save the lives of foreigners as well as English sailors. From a Return of the number and nationality of the ships engaged in the timber trade, it appeared that in 1874 2,813 were so engaged, of which 800 were British, 1,647 Swedish and Norwegian, 109 Russian, 50 Danish, 121 German, Dutch 7, Italian 5, Austrian 7, and Belgian 4. Inasmuch as Sweden and Norway, Russia, Denmark, Germany, and other countries had expressed a strong approval of the principle of the present legislation, and Spain, as appeared by a recent Return, was the only country which had not cordially met proposals made by the Board of Trade, that before the transfer of any British ship to a foreign flag the foreign Consul should inform the English authorities for the purpose of having a preliminary survey of the vessel to make sure of her seaworthiness, we need be under no fear that foreign nations would take offence or would retaliate upon us for interfering with their vessels. At the same time, the word "penalty" had an ugly look, and he believed that a prohibitive Customs' duty such as was shadowed forth in the clause he (Mr. Ashley) had placed upon the Paper would have been better than the proposal of the Government.

MR. MAC IVER said, the intention of the Government was admirable, and deserved the support of the Committee. He would, however, have preferred a prohibitory duty to the imposition of a penalty.

MR. W. E. FORSTER said, that having been one of those who pressed on the Government a change in the Bill in that direction, it would not be fair not to thank them for the way in which they had effected that change. The Government had yielded to the feeling of the majority of the Committee, and also to the facts as brought before them. Coming to the conclusion to which those facts pointed—that in dealing with deck cargoes at all, it was necessary to put foreign ships in the same position as British ships—the Government could not be blamed for the course they proposed in the first instance, as the case seemed at first sight to be against dealing with foreign ships; but they had had the facts brought before them, and it came out quite clearly in the discussion that, if the dangers of the timber trade were to be fairly met, foreign ships must be included. Without it, Canada would have had a right to complain that her trade was subjected to regulations that did not apply to foreign ships. He should have regretted anything happening that would have caused a separation in that respect between this country and Canada. He was therefore pleased that the proposed legislation would not clash with that of Canada, and that they were not called on to differ from the Legislative Assembly of that great American colony. She certainly would have had a right to complain if the Baltic trade had been handicapped against her; and as to the danger of retaliating they would have a right to complain, unless the regulations made by any foreign Power were similar to their own and had the same object, the saving of life, and unless those regulations affected its own ships as well as theirs.

THE CHANCELLOR OF THE EXCHEQUER, on the part of the Government, thanked the right hon. Gentleman for the spirit in which he had spoken, and the Committee generally for the manner in which they had received the clause proposed by the Government. The Government felt with the hon. Member for Reading (Mr. Shaw Lefevre), and others who had spoken, that the steps which they were inviting the Committee to take were very serious. The Government had weighed the difficulties over and over again, and it had not been without considerable hesitation that, after giving due weight to the facts that were before them, and seeing that the time had come when they must make their choice in the direction of the clause, they had at last made up their minds and determined to face certain difficulties in order to attain the object they had in view. Although it was perfectly true that they would be able to say to foreign countries—"You must only adopt regulations which are similar to those which we adopt," he doubted very much whether they could by any process of reasoning really confine them strictly to the observance of the regulations which they themselves adopted. A foreign country might enforce severe regulations on British ships nominally for the purpose of saving life, but that might be prejudicial to the interests of British shipping, although they might profess to apply the same treatment to ships of foreign countries and to their own. Possibly, in some countries, but not in any of the great civilized countries, the nominal law might be applied in a manner anything but fair to a British shipowner. They had heard much about applying Customs' laws and prohibitions instead of stringent penalties. It was straining the point to say that the penalties imposed by the clause were of an unprecedented character, because many breaches of their Customs' laws were subject to penalties and forfeiture of contraband articles which were only a little less than those now proposed. The Government, however, had not treated the matter in that way, because it was against the spirit of the Customs' duties to use them for any other purpose than that of Revenue, and it would be letting in a dangerous principle to begin to impose Customs' duties not for the sake of Revenue, but to secure some other object. If they attempted to impose such a duty on deck cargoes they would, moreover, lose one of the great restraints they placed on the practice they wished to stop by the system of penalties. He believed that if ships imported goods which were subjected to a penalty, the persons bringing them in would vitiate their policy of insurance —a result which would operate much more severely than a Customs duty. It might be said that by their system of penalties they might be brought into collision with foreign countries; but would not that objection hold equally good against the imposition of duties amounting to forfeiture or prohibition? It had been asked how these penalties were to be enforced, and it had been suggested that they ought to be enforced against the shipowner, but that was already provided for by the 523rd clause of the Merchant Shipping Act, under which the proposed penalties might be levied, if necessary, by distress on the ship. On the whole, therefore, he thought the infliction of a penalty would be the most simple and convenient mode of proceeding. They did not wish to mix that question up with their Customs' laws if they could help it, or to give foreign countries any excuse for introducing, under any kind of sanction from our practice, any duty not having a purely fiscal object. Nor did he think that there was anything in the objection that foreigners might be taken by surprise, or that, if sufficient time was allowed for giving them notice, any serious difficulty would be experienced in that respect. The whole thing resolved itself into this—that if they were determined to do what they could by way of legislation to check deck loading they could only do it by imposing restrictions which it was scarcely possible to impose on British ships without imposing them also on foreign ships. Although at first sight it did appear that any attempt to deal with foreign ships might carry them to a dangerous extent, the more he had considered the subject the more he felt that with care and caution, by giving foreign countries reasonable notice of their proceedings, and by exercising reasonable fairness in the execution of the law, the danger was not one that need be attended with very serious consequences. The hon. Member for Liverpool (Mr. Rathbone) had on the Paper a clause of a very excellent character, dealing with the possible case of arranging by Treaty with foreign countries for the acceptance by them of our Merchant Shipping Acts; and at one time the Government were disposed to think that all the objects in view might be met in that way; but while they would endeavour by negotiation, by persuasion, and by a proper use of their legitimate influence as the first great maritime Power in the world to induce foreign countries to come into arrangements with them, the Government felt that in bringing forward the clause, which they did with considerable anxiety, they were doing what was best for the promotion of the great objects of the Bill and for the interests of the country.

Mr. RATHBONE said, he was glad that the Government had attempted to deal with the question, though he still thought the clause was open to some objections, and that the end in view might be effected through the medium of a Customs duty or a Customs regulation, for which there existed precedents. He would suggest that if the clause proposed the heavy penalty of vitiating the insurance in case of non-compliance with the enactment it required most serious consideration, for the penalty would be inflicted on shippers of cargo—men innocent of, and unable to prevent the act by which they were thus seriously injured.

SIR WILLIAM HARCOURT said, as regarded the penalty, all the responsibility must be laid on the Government, for they were the persons who would have to face foreign Governments on the subject. He was extremely glad that the Government had taken the course they had done on this matter, and his object now was merely to present an argument which he thought would remove the doubts which his hon. Friends the Member for Hull (Mr. Norwood) and Taunton (Sir Henry James) had expressed. The hon. Member for Hull said it would be a harsh proceeding to confiscate the goods of foreigners, or visit them with penalties. But how could it be harsh to visit with a penalty a man who knew perfectly well when he started what the law was, and deliberately violated it? No doubt it would be a harsh and high-handed proceeding if arbitrarily and vexatiously they seized on a man, who had no reason to expect that he would be seized on; but if they proclaimed openly to all the world that they had made such and such a rule for the regulation of shipping, a man who came into a British port and knowingly violated that rule would have no right to complain if he were subjected to the penalty provided by the Act. It was from no vexatious motive, but from a good motive, of which all the world approved, that they made this regulation, and he did not think his hon. Friend the Member for Hull on reflection would insist on calling it a high-handed proceeding. Then it had been argued that the rule was an exceptional one, because it applied to imported goods. It was not alleged that as regarded lading a ship outward-bound there were not plenty of precedents. He was himself unable to see any difference in principle between the two cases. The general argument was that we ought not to interfere with foreign ships, because the foreigner was dealing with his own goods and his own people. But that argument applied to ships sailing outward as well as to ships coming in; and the only grounds on which we could deal with the matter in either case was that we were dealing with something in our own ports. He believed that many of the fears expressed by his hon. Friend had no foundation, and he hoped the clause would do credit to the English nation by having set an example to other nations of the world which they would not regard as a matter of retaliation, but of imitation.

MR. SERJEANT SIMON said, he did not object to the principle of the clause; but he could not agree with the hon. and learned Member for Oxford when he said there was no difference between a foreign vessel loading in our own ports and vessels coming from foreign ports to ours. In the former case, we had a perfect right to make what rules we liked for the safety of human life; in the latter case, we were really attempting to apply a penal law to a foreigner for doing something which might be lawful in his own country. The right hon. Gentleman the Chancellor of the Exchequer had expressed a sanguine hope that foreign nations would in time adopt our system—meaning our penal law. But suppose they refused to do so, how were we to compel them? Either trade would be put an end to, or we should be brought into conflict, perhaps, with a great Power, such as Prussia for example. Suppose the foreign owner or captain had not £100 with which to pay the penalty, or refused to pay it, was he to be imprisoned? If so, he could foresee many complications that would bring us into unpleasant antagonism with other powers. If we attached liabilities of one kind and another to legal acts done by the foreigner in foreign ports, foreign countries might retaliate by measures which we should find extremely embarrassing. The principle of the clause was sound; but the right way was to treat the over-cargo, as had been suggested by the hon. and learned Member for Denbigh (Mr. Watkin Williams), as prohibited goods. This rule would be analogous to the rule imposed by the United States in the case of immigrants arriving there. It was also known to international usage. The clause proposed by the Government, as he had said, might lead to retaliations by other Powers and to serious complications and embarrassments, whereas the rule which he had suggested would give no just cause of offence to any foreign nation.

Mr. D. JENKINS objected to the line of three feet being drawn, as it was well known that some ships were safer with four feet of timber above the deck than others were with three feet. Again, large logs of timber were safer on deck than deals, as they would not be so likely to shift in heavy weather. He strongly advocated the total abolition of deck loads in ships crossing the Atlantic between October and April; but he thought there was not the same necessity for prohibiting deck loads in the case of ships coming from the Baltic to the East Coast of England.

Mr. PALMER said, in his opinion, deck loads were in all cases cargo in the wrong place, and that they were dangerous to navigation. Therefore, under all circumstances, they ought to be avoided. He regretted that the prohibition was limited by the Bill to certain trades and to a particular season. If the right hon. Gentleman had prohibited the system altogether he should have supported the Government.

Sir ANDREW LUSK said, he did not think the Government had taken the right way of meeting the difficulty. Ships were not built for the purpose of carrying deck loads; and, in his opinion, the only way of settling the difficulty was to put a duty on all goods carried on deck so high that it would not be an inducement to any one to carry deck loads.

Mr. GOURLEY thanked the President of the Board of Trade for the bold manner in which he had dealt with the subject-matter of the clause. He did not think there was anything to be feared from retaliatory measures on the part of foreign Governments. With regard to the conveyance of cattle on deck, nothing could be more dangerous, and provision should be made in reference to it.

Mr. GREGORY said, the clause as it stood dealt only with the master, because there was no penalty attached to the ship or cargo either by implication, or otherwise. By the 52nd section of the Act of 1854 penalties might be recovered as against the ship and cargo, whereas, in the clause now under consideration, there was a distinct declaration that the master was the only party liable, and the ship and cargo were excluded. He trusted the right hon. Gentleman would consider this discrepancy, and endeavour to make some Amendment on the Report. He would suggest whether it might not be desirable to apply the machinery which had been applied by the Admiralty in cases of collision at sea, and to attach both ship and cargo. The clause would act unjustly in cases where the master was entirely under the control of the owner.

Mr. SAMUDA preferred the Bill as it originally stood in respect of deck loading to the clause under consideration. He considered that the Government, in dealing with the 15th clause, had made a radical mistake, and had in fact encouraged the carrying of deck cargoes, inasmuch as shipowners, by paying 1*s.* per ton, would be at liberty to carry them. The question they had to decide virtually was this—whether life was endangered by the carrying of deck cargoes. He believed that such was the case, and further that life would be endangered by the carrying such cargoes to the extent of 3 feet in depth. Three feet ought not to be allowed at all in winter, and in legislating on the subject of deck cargoes they ought not to confine the prohibition to timber alone. He believed the Government were making a grievous error in supposing that a ship could carry 3 feet deck load of timber across the Atlantic with anything like a due regard to the safety of life in severe weather, and therefore he objected to the clause altogether.

Mr. GORST said, he doubted whether they could enforce a penalty against a foreign ship by the sale of the ship. The Act of 1854 dealt with offences exclusively committed by the owners or masters of British ships, and he questioned whether by reading that Act in connection with that one they would be entitled to sell a foreign ship. It would be far better not to leave the matter in doubt, and to insert a clause similar to that contained in the Canadian Act, and to say that, where a penalty had been incurred, if the master did not pay the penalty it should be recoverable by sale of the ship.

Mr. HERSCHELL said, he had no doubt that according to International Law they had power, after fair notice, to impose any conditions they thought proper on foreign ships entering British ports, and to refuse them admission unless they consented to the existing conditions; but at the same time, they might use this right in such a way as to lead to remonstrances. He thought the existing precedents should be acted upon, and in cases of violation of the law he would much rather see the penalty imposed upon the ship, with power to sell it should the penalty not be paid. He disapproved of punishing the master; and as to the foreign owner, he would avoid coming into a British port when he knew that a penalty was hanging over him for violating the law in relation to deck loading.

MR. WILSON said, that when it was proposed in a former stage of the Bill to exempt foreign vessels from penalties, he and many other hon. Members voted with the Government; but the Government had since changed their mind, and they now proposed to impose penalties on foreign vessels. They could not remedy the difficulty by forcing their law upon foreign nations, and the result might be that foreign nations might retaliate and pass laws against English shipping. If the real danger of deck loading arose in the Canadian timber trade, it would be better to allow the Canadian Government to deal with the matter.

Question put, and *agreed to.*

On the Motion of SIR CHARLES ADDERLEY, Clause amended by adding the word "first" after "the," and the words "January one thousand eight hundred and seventy-seven" after "of" in the first line.

MR. T. E. SMITH moved, as an Amendment, in line 9 of the new Clause, to omit the words "any pitch pine, mahogany, or other heavy wood, nor" the object of the Amendment being to prohibit the carrying of timber cargoes on deck during the winter months.

SIR CHARLES ADDERLEY accepted the Amendment.

MR. SAMUDA remarked that if the right hon. Gentleman had made that concession early in the evening, the House might have been saved the whole of the discussion.

Amendment *agreed to;* words *struck out* accordingly.

MR. T. E. SMITH, moved, as an Amendment, in line 11, to leave out the word "other," and after "description," to insert "nor shall she carry any deals or battens to a height exceeding three feet above the deck." He rather objected to the deck load of three feet, but still he felt that difficulties might arise which the Amendment would avoid.

Amendment *agreed to;* words *inserted* accordingly.

MR. PLIMSOLL moved, as an Amendment, to omit the words "to a height exceeding three feet above the deck," in order to insert "on deck," his object being entirely to prohibit the carrying of deals and battens on deck in the winter months.

Amendment proposed,

In line 10, to leave out the words "to a height exceeding three feet above the," in order to insert the word "on,"—(*Mr. Plimsoll,*)

—instead thereof.

SIR CHARLES ADDERLEY said, he could not accept the Amendment, which would be a departure from the Canadian law; the object of the clause being to assimilate the law to that of Canada, and to avoid imposing penalties on those who imported timber from Canada according to Canadian law. Any change might best be made hereafter simultaneously on both sides.

MR. E. JENKINS supported the Amendment. It was all very well to talk of kindness and generosity to Canada; but he believed the general feeling of the community in Canada would be favourable to the proposal of the hon. Member for Derby.

LORD ESLINGTON supported the Amendment.

MR. E. J. REED believed the exception had been introduced in the Canadian law only for a local and temporary purpose. When the British Parliament was legislating on the subject, having gone so far, the question was whether the Committee would not do better in deciding to sweep away deck loads altogether. He hoped the hon. Member for Derby would press his Amendment to a division.

THE CHANCELLOR OF THE EXCHEQUER defended the clause. He would remind the Committee that they were now dealing with an Act which had relation to the Dominion of Canada. It might be that there were reasons which induced the Legislature of Canada to make this exception. The qustion was, whether, if the Canadian Legislature had to reconsider the question, it would strike out the provision. In this legislation they were interfering with an important trade, and one which would not bear an indefinite amount of restriction. He did not say that the Committee might not go further and exclude all deck loads, but they must take care that they did not carry stringency to an extreme; and unless a very strong case were made out, they ought not to interfere with the ordinary operations of commerce.

Mr. SAMUDA supported the Amendment, remarking that the Government had a few minutes ago gone in direct opposition to what had been done by Canada. The Committee were not bound to follow the course of Canadian legislation; but their duty was to act on the convictions which they believed to be founded on right, and his opinion was, that vessels should not be allowed to carry such cargoes during the winter months. Three feet of timber on deck in a heavy sea involved at least the risk of broken limbs to seamen. He trusted the hon. Member for Derby would press the matter, in order that an opportunity might be afforded hon. Members of recording their votes against a scandalous clause which was calculated to add to the danger of deck loading.

Mr. NORWOOD supported the Amendment, as he considered deck loading, especially in winter, very objectionable, and three feet of timber much too heavy a load. He could understand the delicacy with which the Government had been inclined to treat Canada; but he would also remind them that the clause also affected all foreign countries.

Mr. J. P. CORRY, who had been engaged many years in the timber trade, thought the Amendment would prove injurious, and had not found that limbs were broken by these deck loads. He wished to remind the Committee that deck loading now was very different from what it was some years ago.

Mr. T. BRASSEY said, he could confirm what had been said by his noble Friend (Lord Eslington) from the evidence given by Mr. Fry before the Commission on Unseaworthy Ships. Mr. Fry had been, for four years, President of the Chamber of Commerce of Quebec; and he gave the following account of the recent legislation in Canada with reference to deck loads of timber:—

"The carrying of square timber of all kinds is absolutely prohibited between the 1st of October and the 16th of March. Some St. John shipowners urgently represented that deals should be allowed to be carried to a certain extent. The Minister of Marine, who happened to represent a New Brunswick constituency, listened to them, and now three feet of deals are allowed. I was strongly opposed to allow deals to be carried, and experience has proved that a large proportion of those deals has been either washed overboard or thrown overboard during the last season from ships sailing from the St. Lawrence."

Question put, "That the words proposed to be left out stand part of the Clause."

The Committee *divided*:—Ayes 142; Noes 134: Majority 8.

Mr. PLIMSOLL wished the President of the Board of Trade to take it into his consideration whether the clause should not be altered so as to make it a fiscal instead of a pecuniary penalty?

Sir CHARLES ADDERLEY said, he must decline to make such an alteration in the clause. He thought a penalty better than indirect prohibition by duties.

Mr. PLIMSOLL moved, as an Amendment, in line 12, to omit the words "if he is privy to the offence." The owner would never know what it would be known he did not wish to know. The Board of Trade would never get a conviction, and the penalty would be only illusory. The owner would alone benefit by the carrying of timber in the improper way which the clause punished, and could always make himself acquainted with the acts of his agent, therefore he should be liable for the penalty, without the necessity of proof by the prosecution that he was privy to the offence.

Sir CHARLES ADDERLEY took exception to the proposed Amendment, thinking it would be hard on the shipowner that he should be held equally responsible, whether privy to the offence or not, and that the case requiring remedy was sufficiently met by the clause as it stood.

Sir WILLIAM HARCOURT was of opinion that the clause should be so amended that it would be placed beyond doubt that the ship would be liable to the penalty in the last resort. In that way the owner could in every case be reached.

The CHANCELLOR of the EXCHEQUER said, they had been assured that no doubt existed in the matter, for that under the Act of 1854 the ship could be made liable. The question would, however, be for consideration, and, if necessary, an Amendment of the clause would be proposed.

SIR WILLIAM HARCOURT wished to know from the hon. and learned Attorney General whether the clause would charge the masters of foreign ships with penalties?

THE ATTORNEY GENERAL, in reply, said, it would. The Merchant Shipping Act of 1854 contained provisions for enforcing penalties, and the present Bill, when it became law, would be incorporated with that Act.

SIR HENRY JAMES said, if the hon. and learned Gentleman the Attorney General was certain on the point, they could not dispute the question of law with him. On the point of principle, however, he should say that when they were making foreigners subject to British law, care should be taken to tell them plainly what the law was. Now, the effect of what they were doing was to tell the foreigner that he must look to the Act of 1854 to see what his liabilities were. They ought not, in dealing with foreign countries, to follow the vicious practice of drafting Bills by which one Act was made to be read in connection with another, but should state plainly what was to be the penalty imposed.

MR. HOPWOOD considered the hon. and learned Attorney General right in his law, as the Act of 1854 was not confined to British shipping, but also embraced cases in which foreign ships were concerned.

MR. MORGAN LLOYD thought the simplest way of dealing with the matter was to make the master only liable to the penalty.

MR. RUSSELL GURNEY suggested that the object of the hon. Member for Derby would be better attained by the insertion of the words "unless such owner can show he was not privy to the offence," than by those he had proposed.

MR. PLIMSOLL said, he would adopt the suggestion, and withdraw his own Amendment in favour of the one just mentioned.

Amendment, by leave, *withdrawn.*

MR. RUSSELL GURNEY moved, as an Amendment, the insertion in line 12 of the words "unless the owner shall show that he was not privy to the offence," in substitution of the words "if he is privy to the offence."

Amendment proposed,

In line 12, to leave out the words "if he is privy to the offence," in order to insert the words "unless the owner shall show that he was not privy to the offence."—(*Mr. Russell Gurney,*)

—instead thereof.

THE ATTORNEY GENERAL opposed the Amendment, upon the ground that it was undesirable, unless in very exceptional cases, to throw upon a person accused of an offence the onus of proof that he was not guilty.

SIR WILLIAM HARCOURT said, he would remind the hon. and learned Attorney General that this was a case of principal and agent, and that the first principle of law was that the principal was responsible for the acts of his agent. *Qui facit per alium, facit per se.* [*Ironical cheers* and *laughter.*] That was a maxim which he was very glad to find hon. Gentlemen opposite understood. The master being the agent of the owner, the *primâ facie* presumption was, that the offence was according to the owner's instructions. It was, therefore, for the owner to rebut that assumption. He contended that the Amendment of the right hon. and learned Recorder was in accordance with the law, and he hoped it would be adopted.

MR. NORWOOD was astonished at the dictum of the hon. and learned Gentleman, for he always understood that a principal was responsible for the acts of his agent in civil proceedings only. He thought the clause ought to stand for the reason stated by the hon. and learned Attorney General, and hoped that the Government would, in this instance, stand to their guns.

MR. RUSSELL GURNEY said the owner was the only person who derived a profit from the committal of the offence. He should press his Amendment.

Question put, "That the words proposed to be left out stand part of the Clause."

The Committee *divided:*—Ayes 199; Noes 104: Majority 95.

MR. SERJEANT SIMON proposed, as an Amendment, in line 12, to leave out after "shall" in the case of British ships.

The object of the Amendment was to exempt foreigners from a penalty, because he contended they had no right to punish a man for doing what was lawful in his own country. He should like to know what Germany and other influential foreign Powers would care about their legislation.

Sir CHARLES ADDERLEY pointed out to the hon. and learned Gentleman that the clause was intended to place British and foreign ships on a par; but his Amendment would prevent that which the Committee had expressly agreed to. He could not therefore agree to the Amendment.

Amendment *negatived.*

Mr. NORWOOD expressed his repugnance to the punishment of the offence being by penalty, and moved the alteration of certain words in the clause to change that portion of it.

The CHANCELLOR of the EXCHEQUER reminded the hon. Member that at an early period of the evening he had explained the reason why the Government had preferred imposing penalties to dealing with the offence by means of Customs duties.

Amendment *negatived.*

Clause, as amended, *read* the third time, and *added* to the Bill.

Foreign Ships, Overloading.

Sir CHARLES ADDERLEY, in moving the following new clause:—

> "Where a foreign ship has taken on board all or any part of her cargo at a port in the United Kingdom, and is, whilst at that port, unsafe by reason of overloading or improper loading the provisions of this Act with respect to the detention of ships shall apply to that foreign ship as if she were a British ship, with the following modifications: (1.) Sub-sections (4), (5), (6), and (7) of Section five of this Act shall not apply. (2.) A copy of order for the provisional detention of the ship shall be forthwith served on the consular officer of the State to which the ship belongs at or nearest to the place where the ship is detained. (3.) If the owner or master of the ship is dissatisfied with the order for provisional detention, the consular officer may, on his request, and at any time within 24 hours after the service of the order on the master, appoint some competent person to survey the ship; and if on survey that person decides that the ship ought to be released, she shall be released accordingly."

said, that like that which had just been agreed to, it involved the novelty of dealing generally with foreigners, though in a less degree, inasmuch as overloading in our own ports was clearly an offence committed within British jurisdiction. The proposal in the clause was to submit foreign ships to the provisions of the 5th clause as to detention for overloading. That was a proposal such as had never been made before, for hitherto it had generally been considered that it was no business of ours to protect foreigners, nor even British crews enlisting in foreign service, if they so chose to put themselves under foreign laws. In introducing the Bill he felt inclined rather to accept the suggestion of the hon. Member for Liverpool (Mr. Rathbone), and thinking that the safest way of dealing with foreign nations would be by Treaty, he preferred that the Bill should give Her Majesty power by Orders in Council to apply the Act to those countries which might be inclined or induced to enter into Treaties on the subject with us. He was perfectly satisfied that the principal maritime countries would be willing to enter into such Treaties, and that this course would be safer for British shipowners, because there would be less vagueness about such mutual arrangements than for countervailing restrictions imposed by foreigners to meet our independent enactments. But it was quite clear that the feeling of the Committee was strongly in favour of acting directly. Shipowners were most ably represented in the House of Commons, and they had pressed that course of action through their Representatives on the Government. Whenever we interfered with foreign ships hitherto it was through the Consuls of the nations to which the ships belonged. In accordance with that practice, this clause proposed that as soon as the provisional order for detention of a foreign ship was made notice was to be given to the Consul of the nation to which the ship belonged; and if the foreigner disputed the order, then the Consul would name a competent surveyor to decide between the master and the Board of Trade.

New Clause (Application to foreign ships of provisions as to detention),—(*Sir Charles Adderley*),—*brought up* and read a first time.

On Question, "That the Clause be now read a second time?"

Sir WILLIAM HARCOURT said, he thought it was most illogical and inconsistent that when a ship loaded abroad came into one of our ports with a deck load violating our law, and was subjected to a penalty, that very ship might go out with the same deck load with impunity. The Government must adhere to one rule, and either enforce their laws against foreigners or not. They had determined to do so as to cargoes, and *a fortiori* it was desirable they should adopt the same rule in the present case.

THE CHANCELLOR OF THE EXCHEQUER said, that with regard to grain cargoes it was not proposed to make any special provision. Deck cargoes stood on a somewhat different footing, and there was a very great distinction between the case of the imported deck load and the improperly loaded ship going outwards. The main distinction was, that in the case of a deck load it was possible to lay down as a definite rule that any ship carrying certain loads of timber or deals was acting in contravention of our law, and there would be no difficulty in enforcing that law; but when the question arose of an improperly loaded ship going outward, no general rule was laid down, but a certain discretionary power was given to certain Government officers to detain that ship. A certain arbitrary power was given and the question was whether the officer was to be allowed to do in the case of a foreign ship that which he was allowed to do in the case of a British ship. It must be borne in mind that if this were done, foreigners would claim the right to deal in the same manner with British ships in their ports, and serious difficulties would arise if such a course were adopted. Unless we adopted the principle of the protection of the Consuls, he confessed that he should tremble for the consequences. The objection was not an unnatural one, but there was no real foundation for it. He hoped the hon. and learned Gentleman would see that there was no parity between the two cases.

MR. GOSCHEN said, that the right hon. Gentleman had not replied to the argument that the particular provision here embodied would fail in its object. His hon. and learned Friend had pointed out that the question would rest entirely in the hands of the Consul; but what security would they have that the Consul would deal impartially with the matter? In his (Mr. Goschen's) opinion the Government would do well to omit the clause altogether, for they had no security that the Consul, to whom the matter would be referred, would be a competent person under the 3rd sub-section to examine the ship. If the clause was left in its present shape it would give the appearance of dealing with foreign vessels, but without the real effect of such a provision.

THE CHANCELLOR OF THE EXCHEQUER still did not think this clause would be found insufficient. If the master of a ship were shown that it was overloaded, it was probable he would remedy what was complained of, as he would be anxious to go to sea and to go safely; and the Consul would naturally be anxious to induce the master to do what was necessary. The Committee would commit a great mistake if they did not give the Consul the power of interfering and seeing that justice was done.

MR. T. E. SMITH said, they should deal with the foreigner as they would with the owner of a British ship, and not allow a foreign ship any more than a British to go to sea in an unseaworthy condition. He thought the justice of the case would be met by having one surveyor appointed by the foreign Consul and the other by the British authorities.

MR. GORST thought this a clause of too great importance to be properly discussed at that late hour. The clause introduced for the first time the principle that foreign and British ships should not be treated equally before the law. It gave no power to detain a ship which was improperly loaded, and it invested in the hands of a Consul or vice Consul the whole powers possessed by the Board of Trade for the detention of foreign ships. He agreed with the hon. Member for Tynemouth (Mr. T. E. Smith) that the only way in which they could deal with the question of overloading ships would be to deal in the same way with the foreign ship as they would deal with a British vessel, and not allow a foreign ship to leave a British port in an overloaded and unseaworthy state, dangerous to the lives of those on board. He could not help agreeing with the principle laid down by the hon. and learned Member for the City of Oxford (Sir William Harcourt), that British and foreign ships should be treated in exactly the same manner when they were in our ports. That was the way in which our ships were treated in foreign ports, and therefore there were no privileges to forfeit in foreign ports. There was only one plain straightforward course to pursue, and that was to treat all vessels alike in our own ports.

Mr. SHAW LEFEVRE thought that when it was known by foreign Governments that certain regulations would affect their vessels in our ports, they would make corresponding arrangements; but the clause gave certain arbitrary powers to the Board of Trade which were objectionable.

Mr. MAC IVER was in favour of treating all vessels alike when in our ports.

Question put, and *agreed to.*

On Question, "That the clause be now read a third time?"

Mr. WILSON moved, as an Amendment in line 1, after the word "ship," to insert the words "except ships belonging to such States as may from time to time signify their objection to come under this law."

Mr. DILLWYN said, he would move that the Chairman report Progress.

The CHANCELLOR of the EXCHEQUER said, that no doubt there had been a very long discussion on the clause, and it was most desirable that it should be disposed of. He trusted the Motion would not be pressed.

Motion made, and Question, "That the Chairman report Progress, and ask leave to sit again,"—(*Mr. Dillwyn,*)—put, and *agreed to.*

House *resumed.*

Committee report Progress.

Motion made, and Question proposed, "That this House will again, To-morrow, at Two of the clock, resolve itself into the said Committee."—(*Mr. Chancellor of the Exchequer.*)

Mr. DILLWYN said, he would move, as an Amendment, that the Committee on the Bill be adjourned till the usual hour to-morrow. He did not think it was fair to ask independent Members to forego their private Business. He had never known such heavy work continuously kept up as during the present Session. The House had sat a greater number of hours that Session than he remembered since he was in Parliament. Instead of rising by 9 or 10 o'clock, as had been the case before Easter, the House had sat till 2, 3, and even 4 o'clock. He did not think the House gained much by Morning Sittings, for hon. Members got annoyed, and refused to facilitate the plans of the Government, and perhaps there was a "count-out" afterwards. If they once began this work so early it would be continued. He hoped the Motion would not be pressed.

Amendment proposed, to leave out the words "at Two of the clock."—(*Mr. Dillwyn.*)

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. WHITWELL hoped the Government would assent to the Amendment; a Bill of that kind ought not to be discussed at a Morning Sitting. He entirely disapproved of the Committee resuming its labours at 2 o'clock, and would support the Motion of the hon. Member for Swansea.

Mr. CHARLES LEWIS also protested against a resort to Morning Sittings at so early a period of the Session. The result of such a proceeding would be that important business would have to be disposed of without discussion. If that attempt proved successful there would be speedy demands for other Morning Sittings. He was sure his hon. Friend the Member for North Warwickshire (Mr. Newdegate) was not in his place, for he was their usual protector on such occasions.

Captain NOLAN joined in the protests against the early resumption of Morning Sittings, which tended to waste time. The system was one which he deprecated.

Mr. MUNDELLA pointed out that many hon. Members had to attend Committees, and could not be present at a Morning Sitting. He would appeal to the Government to yield, if they felt they could do so, on a matter where the personal convenience of private Members was concerned.

Sir HENRY JAMES, on the part of the legal Members, appealed to the Government to withdaw the proposal. They had not received any Notice of it, and had made their arrangements in ignorance of it. The same plea might be urged on behalf of the shipowners, who had their mercantile business to attend to.

THE CHANCELLOR OF THE EXCHEQUER said, the reason the Government wished to take the course proposed was in consequence of the responsibility that rested upon them of passing such an important measure as the one under consideration; they would not, however, think of pressing the proposal against the wish of the House. At the same time, he must demur a little to the insinuation that there was a scramble between the Government and private Members as to which should get the larger portion of the public time. All other Government Business must be laid aside until the Bill was disposed of, and it must be taken on Thursday in lieu of the Business set down for that day.

Amendment and Motion, by leave, *withdrawn.*

Committee to sit again upon *Thursday.*

House adjourned at a quarter after One o'clock.

HOUSE OF LORDS,

Tuesday, 2nd *May*, 1876.

MINUTES.]—PUBLIC BILLS—*First Reading*—Publicans Certificates (Scotland) * (66); Provisional Orders (Ireland) Confirmation * (67); All Saints, Moss * (70).
Report—University of Oxford (51-68).

UNIVERSITY OF OXFORD BILL.

(Nos. 16, 45, 51, 68.)

(*The Marquess of Salisbury.*)

REPORT OF THE AMENDMENTS.

Amendments *reported* (according to order.)

Clause 4 (Nomination of Commissioners).

On Motion of the Marquess of SALISBURY the List of Commissioners was altered as follows:—

The Right Hon. Roundell, Baron Selborne; the Right Hon. John Thomas, Baron Redesdale; the Right Hon. Montague Barnard, Doctor of Civil Law; the Honourable Sir William Robert Grove, one of the Justices of Her Majesty's High Court of Justice; Sir Henry Sumner Maine, Doctor of Civil Law; the Reverend John William Burgon, Dean of Chichester; Matthew White Ridley, Esquire, Master of Arts.

Clause 16 (Objects of statutes for Colleges in themselves).

THE MARQUESS OF SALISBURY said, that, in deference to the opinion of several Members of the Episcopal Bench, and of a very strong and unanimous expression of opinion from other quarters, he would propose an Amendment the effect of which would be to bring the Headships of the Colleges within the action of the Commissioners. But, as a security for the provision of religious instruction would be thereby impaired, he further proposed to insert words giving power to the Commissioners to make that provision.

The Provisoes in sub-sections 1 and 4 excepting the Headships from the powers given by this clause *struck out.*

THE MARQUESS OF SALISBURY moved, after sub-section (1.) to insert as a new sub-section—

(2.) For determining the age after which the holder of a Fellowship not attached to any office in the College or in the University shall take part in the Government of the College.

He thought that without some limitation in this respect the Commissioners would be reluctant to create any number of prize Fellowships.

THE EARL OF CAMPERDOWN hoped their Lordships would not accept the new sub-section. Amongst the other reasons he had for opposing it was that the noble Marquess took up in it again a position from which on the last occasion, he had retreated—a course never before adopted in their Lordships' House with regard to Amendments. Then as to fixing the age

"After which the holder of a Fellowship not attached to any office in the College or in the University shall take part in the Government of the College,"

it must be some age beyond 21, as no student ever attained a Fellowship before that age. But the noble and learned Lord on the Woolsack, last year, in discussing the law of Scotch entails, under which an heir could not get rid of his expectancy until 25, pointed out that there was no other instance in which a man was not considered of age at 21 for all purposes whatever. This sub-section, on the contrary, would establish as a law a new state of things, so that while the most foolish young man was considered legally able to conduct his affairs at 21 the most able young man should not be deemed able to take part in the government of his College till he was 25—if that should be the limit of age fixed upon. Everyone knew that the attainment of a power to share in the government of his College was a chief incentive of every student. He most sincerely hoped their Lordships would not impose this restriction on the young men of our Universities, and that they would decline to accept this Amendment.

Lord COLCHESTER regretted that he could not support the sub-section. He considered that the difficulty was created by the proposal to shorten the tenure of Fellowships. If a Fellowship was held for less than 10 years, and the Fellow was not a member of the Governing Body for the first two years, the very evil referred to—that of continual changes in the Governing Body—would be aggravated.

The Earl of MORLEY said, that this was a matter of such importance that the House ought to have more time to consider it, and he appealed to the noble Marquess to at least postpone its further consideration till the third reading.

The Marquess of SALISBURY consented to postpone the consideration of his Amendment.

Amendment, by leave of the House, *withdrawn.*

The Earl of MORLEY moved to insert, after Clause 17, a new clause—

"The Commissioners shall have power, with the consent of two-thirds of the Governing Body of Oriel College, to make a severance from the provostship of the said College of the canonry of Rochester thereto annexed; they may also sever from the said provostship any ecclesiastical benefice annexed thereto, and assign such portion (if any) of the income of the benefice as they, with the consent of the Ecclesiastical Commissioners, may determine, to be paid out of the revenues of the benefice to the Provost of Oriel for the time being."

The Marquess of SALISBURY opposed the Motion, on the ground that the object which it sought to effect was outside this Bill.

Clause, by leave of the House, *withdrawn.*

The Marquess of SALISBURY moved, after Clause 19, to insert new clauses—

(Provision for accounts, audit, &c.)

"The Commissioners, in statutes made by them, shall make provision—

"(1.) For the form of accounts of the University and of a College and Hall, relating to funds administered either for general purposes or in trust, and for the audit thereof;

"(2.) For the publication of accounts of receipts and expenditure of money raised under the borrowing powers of the University or of a College or Hall."

He proposed the new clause to meet suggestions thrown out on a former occasion by the noble Duke (the Duke of Cleveland). There was a jealousy on the part of the Colleges of the proposition to submit their accounts annually, and he did not think there was any necessity for calling on them to do so.

The Duke of CLEVELAND said, the clause would fully meet his views. He never had intended to interfere with the ordinary expenditure of the Colleges, which he believed to be very fairly administered.

Clause *agreed to,* and *inserted* in the Bill.

The Marquess of SALISBURY moved to insert, after Clause 19, a new clause—

(Union of Colleges and Halls.)

"The Commissioners, in statutes made by them, may make provision for the complete or partial union of two or more Colleges, or of a College and a Hall, provided application in that behalf is made to the Commissioners on the part of the Colleges or College and Hall, in the case of a College by resolution passed at a general meeting of the College specially summoned for this purpose by the votes of not less than two-thirds of the number of persons present and voting, with the consent in writing of the Visitor of the College; and in the case of a Hall by a resolution of the Hebdomadal Council, with the consent in writing of the Visitor and Principal of the Hall."

Clause *agreed to,* and *inserted* in the Bill.

The Earl of CAMPERDOWN moved, in Clause 28, page 8, leave out paragraph, line 33 to line 3 in page 9 inclusive, and insert as new paragraph—

"The Commissioners shall take into consideration any representation made to them by the Governing Body of the school or by the Charity Commissioners respecting the proposed statute."

The Marquess of SALISBURY objected to the Amendment on the ground that it would extend the purview of the Bill in the case of schools.

Amendment, by leave of the House, *withdrawn.*

The Marquess of SALISBURY moved to insert, at end of Clause 37—

(Disallowance by Order in Council.)

"If the Universities Committee report their opinion that a statute referred to them ought to be remitted to the Commissioners with a declaration, it shall be lawful for the Queen in Council to remit the same accordingly; and the Commissioners shall reconsider the statute, with the declaration, and the statute, if and as modified by the Commissioners, shall be proceeded on as an original statute is proceeded on, and so from time to time."

Amendment *agreed to,* and *added* to the Clause.

Further Amendments made; and Bill to be read 3^a on Thursday next; and to be printed, as amended. (No. 68.)

THE ROYAL TITLES.—OBSERVATIONS.

Lord SELBORNE, who had given Notice to call attention to the terms of the Proclamation issued under the Royal Titles Act; and to ask for explanations from Her Majesty's Government as to its operation and effect, rose, and said:—My Lords, it will be in the recollection of your Lordships that when the Royal Titles Bill was passing through the House of Commons declarations were on several occasions made by Her Majesty's Ministers as to their intention to advise Her Majesty, if she should think fit under the Bill to assume the title of Empress of India, to restrict the use of that title within the limits defined in those declarations. Those declarations were referred to again when the Bill was passing through your Lordships' House, and were reiterated, if not by every one, certainly by almost every one of the Members of the Government who addressed your Lordships on the different stages of the Bill. It was felt—and I think not unnaturally—by many Members of both Houses who desired to see effect given to the declarations so made, that it would be well that security should be taken by the insertion of words in the Bill itself for the satisfactory accomplishment of that object; and in your Lordships' House it was suggested by certain persons, including myself, that doubt might be entertained as to the legal power of Her Majesty to give effect to the declarations to which I have referred if no alteration were made in the Bill. But on all those occasions, and in both Houses, any such alteration of the Bill for that purpose was objected to and resisted; and both Houses were repeatedly assured that Her Majesty's Government saw their way to the full accomplishment, by the form of the Proclamation which might be issued under the Bill, of those restrictions to which they had pledged themselves. They desired that confidence might be placed in the Government, and confidence was placed in them by both Houses of Parliament, not only as to the sincerity of their desire to give effect to this arrangement, but as to their power to do so; and Parliament was referred to the Proclamation as a document which, as soon as seen, would satisfy your Lordships, and satisfy the other House of Parliament, that the means existed and had been properly and effectively used to give effect to the proposed restrictions. My Lords, the Act passed—the Proclamation has been issued, and is now before your Lordships. For my own part, my Lords, I am very sorry to be under the necessity of saying that I, for one, am unable to see how those engagements have been fulfilled by the form of the Proclamation; and it is partly in the hope of eliciting from Her Majesty's Government an explanation of the way in which they have arrived at a contrary conclusion—which I must assume they have—that now at the earliest possible moment I rise to bring this matter under your Lordships' notice. My Lords, the question whether those engagements have been duly fulfilled depends on two things. First, what were the engagements? secondly, what is the true effect of the form of Proclamation which has been issued? My Lords, as to the first of those considerations—what those engagements were—I do not think it is possible that I can deceive myself. I have referred to the declarations themselves as recorded to have been made originally in the other House of Parliament. They were made first, I think, when the Bill was in Committee, on the 20th of March, and they were repeated afterwards on the third reading of the Bill, and I find them perfectly unequivocal. I find them reiterated by more than one Minister—the First Minister of the Crown especially;—and the sense in which they were understood was unequivocally expressed by those who took a leading part in the discussion from the opposite side of the House. I also find that when the Bill was under discussion in your Lordships' House, both on the second reading and on the occasion of the Motion of the noble Earl sitting near me (the Earl of Shaftesbury), —I am not sure that I may not add on a later occasion also—declarations in the same sense and not less unequivocal, were made by several Members of Her Majesty's Government—and those not the least in importance—who addressed your Lordships. I will state at once what I understood and still understand those engagements to have been; and, having stated that, I will then put your Lordships in possession of the proofs of the accuracy of my statements. I understand the engagements taken by Her Majesty's Government to have been two—negatively, that this style and title of "Empress of India" should not, where it could possibly be avoided, be used in the United Kingdom of Great Britain and Ireland; and positively, my Lords, that it should, as far as possible, be limited in its use to and localized in India. My Lords, as the question of the fulfilment of the promise depends entirely upon the accuracy of the understanding which I have expressed of the promise itself, your Lordships will permit me to put you in possession of those statements which, as it appears to me, bear out my interpretation of the engagement, and are, as I venture to think, entirely inconsistent with any other view of its purport. It is true that when the intention of Ministers to impose a restriction on the use of the title of Empress was first announced in the House of Commons, at the beginning of the sitting of the 20th of March, the Prime Minister limited himself to the negative part of the engagement, as far as the words then used went. He said—

> "I am sure that under no circumstances would Her Majesty assume by the advice of her Ministers the title of Empress in England."

But, my Lords, the sense in which that was understood—or rather the further meaning involved—was sure to be, and was, in fact, elicited by the sequel of the debate. The noble Lord who is the recognized Leader of the Opposition in the House of Commons referred shortly afterwards to certain Notices which had been placed on the Paper by two Members of the House of Commons for the purpose of limiting the new title, if possible, to a local application; and after referring to those Notices he said—

> "I cannot conclude without urging upon the Government as strongly as I can the necessity of leaving, if possible, some record upon our proceedings that it is intended that this title which they have advised Her Majesty to assume shall be used in India and for Indian purposes only."

No doubt those were only the words of the noble Lord the Leader of the Opposition in the House of Commons; but on the same evening one of those Amendments to which the noble Lord referred as then upon the Paper, that moved by Mr. Pease, the Member for Durham, came under discussion. That Amendment was in these words—

> "Provided that nothing in this Act contained shall be taken to authorize the use in the United Kingdom of any style or title of Her Majesty other than those at present in use as appertaining to the Imperial Crown."

Your Lordships will see that though that Amendment referred negatively and by prohibition only to the use of any new title in the United Kingdom, yet it did so in a manner so stringent that, if it had been adopted, not even in documents referring to India and intended to operate in India, which originated in the United Kingdom, could the new title have been used here. My Lords, in opposition to that Motion, and in order to put the House in possession of reasons why it should not be acted upon, an eminent Member of Her Majesty's Government, the Chancellor of the Exchequer, said—

> "Really, after what had been stated by the Prime Minister at the beginning of the evening, that it was not at all the intention of Her Majesty's advisers to advise Her Majesty to take the title of Empress to be borne in this country, but that it should be a title of a local character to be borne in India, this Amendment would be simply in the nature of an expression of want of confidence in the promise or statement of his right hon. Friend. This Bill was to enable Her Majesty—of course with the advice of her Ministers—to make proclamation stating her style and title. The nature of that advice had been already stated, and of course the Proclamation, if at variance with the promise given, would be subject to comment in Parliament, though the Proclamation would stand. There was, therefore, no necessity for such a clause. Its only effect would be to encumber the Bill if they were to adopt it."

My Lords, the debate was continued, and a Member for a great manufacturing constituency, Mr. Muntz, said—

"The House had been informed by the Prime Minister that this new title was to apply to India only and not to this country."

He was followed by the noble Lord the Leader of the Opposition, who said—

"From the expressions which had fallen from the right hon. Gentleman, and also from the Chancellor of the Exchequer and the Attorney General, he gathered that it was the intention of the Government that there should be a local limitation of the title of Empress, and that the Bill was not to make any difference in the ordinary style by which Her Majesty was known. If that were so, the Committee ought to be told the fact in the most distinct language that the Minister could use, and in what way an object in which all were agreed could be permanently secured. . . . . If, then, both sides were agreed that there should be a limitation to India of the use of this title, it should be placed in the Bill as an authoritative expression of the opinion and wish of that House and of the country."

Mark, my Lords, the words. Both sides were assumed to be agreed that there should be a limitation to India of the use of the title. What said the Prime Minister who spoke immediately afterwards? A large portion of the passage which I am about to read was read in your Lordships' House on the 3rd of April by my noble and learned Friend now sitting on the Woolsack, as containing the most authoritative declaration of the intention of Her Majesty's Government. The part of Mr. Disraeli's speech so read in this House is in these words—

"The noble Lord who has just addressed us has put the case very fairly before us. He gives myself and my Colleagues credit for being sincere in the statements we have made and feels that we have given honest advice to the Sovereign, and that advice, I am bound to say, has been received with the utmost sympathy—namely, that the title which Her Majesty has been advised for great reasons of State to assume shall be exercised absolutely and solely in India, when it is required"—mark the words, absolutely and solely in India—"and that in becoming Empress of India she does not seek to be in any way Empress of England, but will be content with the old style and title of Queen of the United Kingdom."

The passage read to your Lordships by my noble and learned Friend on the Woolsack ended there. But it is my duty not to omit what the Prime Minister added, as a necessary qualification of that statement—

"At the same time, I cannot agree that we are to interfere with the prerogative of the Queen, and that under no circumstances shall she acknowledge herself in this country or be acknowledged by others upon the necessary business of the State as Empress of India. Take, for example, a most important State incident that occurred a month ago. The Queen of England appointed a new Viceroy of India. In issuing that commission, was the Queen of England not to act also as Empress of India? In diplomacy it was the constant practice—he might say the invariable rule—to cite the full titles of the Sovereign. Surely it would not be contended that to do so at St. James's would be a violation of the engagement that the title of Empress was to be applied to India only?"

My Lords, Mr. Disraeli was followed in that debate by Mr. Gladstone, who suggested that the word "local" should be inserted before "addition." He said—

"The right hon. Gentleman had refused to be absolutely bound to exclude the recital of the proposed Imperial title from every document not relating specifically to the business of India, and he referred to such cases as those of Treaties, wherein it was customary for all the titles of the Sovereign to be recited. But he wished to know whether, when the right hon. Gentleman referred to such cases as those of Treaties, in which it might be necessary to recite the Imperial title, he referred to them as exceptions, and meant them to understand that the local use of that title in India, and in documents relating to India, was to be the general rule?"

It does not appear that the question, so put, received on that occasion a distinct answer. The answer, if given at all, had been given by anticipation, in the declaration I have already read. The Bill came on for a third reading on the 24th of March; and Mr. Gladstone, in an early part of the debate on that day, referred to the same subject. He said—

"With regard to the measure itself, I apprehend we have gained by the discussion, at any rate in point of knowledge, on two points. In the first place, we understand from the Government that it is their intention that this title shall be, as far as possible, only employed as a local title." "There are very great disadvantages in such a use of any title belonging to Her Majesty; at the same time, it is a gain, as far as it goes."

Then Mr. Gladstone went on to observe upon the difficulty of so circumscribing the title without some express provision; and he referred to the case of diplomatic instruments, which had been mentioned before, and the case of Appeals from India. He was followed by the Prime Minister, whose words on that occasion were as clear, unequivocal, and explicit as any words which the English language can supply—

> "I thought," said Mr. Disraeli, "that, upon the second point, the right hon. Gentleman was satisfied—namely, that it had from the first been announced that the assumption of the title of Empress was to be limited to India, and to be a local title."

He added that it would not be used in Indian appeals.

My Lords, there was an end of the matter in the House of Commons; and I put it to your Lordships whether I am not borne out entirely in the understanding which I have expressed, as one shared by the head of the Government, by the Chancellor of the Exchequer, by the leading Members of the Opposition, and by the House and the country generally. The engagement was not only a negative engagement—that this title should not, without absolute necessity, or some reason relating to India, or reasons of State relating to foreign countries, be used in England; it was also an affirmative engagement that it should be, as far as possible, localized in India, limited to use in India, and in this country for Indian purposes. It was natural, under these circumstances, when the question came before your Lordships' House, that it should have been made apparent that this was the understanding of the Members of your Lordships' House also. On the second reading of the Bill, my noble Friend behind me (Earl Granville) addressed your Lordships in what I, for one, thought a very powerful and a very interesting speech; and in the course of that speech he expressed his understanding thus—

> "The Prime Minister stated that there was not the slightest intention to substitute this new title of Empress for the Supreme and Superior title of Queen, and that it was to be localized in India."

With regard to this limitation of the use of the title to India, my noble Friend also referred to a question which a noble Duke (the Duke of Somerset) had put in his speech, to be answered by the Lord Chancellor—

> "The noble Duke referred to the assurance given by the Prime Minister as to the limitation of this new title to India. A question hitherto left unanswered in this debate, and which deserves the attention of the noble and learned Lord on the Woolsack, is, what will be the effect of this Bill, and whether, if it is acted upon, it will be possible to localize this title?"

And then my noble Friend referred to a great number of writs, commissions, charters, and other documents which in this country were usually supposed to require the full style and title of the Queen, and pressed the Lord Chancellor to say whether it would be possible, consistently with law, to give effect to the intention of localizing the title, so as not to use it in that class of documents in this country. My noble and learned Friend on the Woolsack answered that appeal. He excused himself for not having done so earlier because, he said, he thought it unnecessary. He said that—

> "In another place, a very remarkable and complete declaration had been made upon the subject to which the noble Duke referred. It was said elsewhere, in most distinct language, that, although the advice to be offered to the Crown would be that the use of the Imperial title —the ordinary and general use of that title— would be confined to India, yet still, at the same time, whenever a legal or formal document had to be employed in which the full style and titles of the Crown had to be rehearsed, that style and those titles must be rehearsed at length, as they stood for the time being."

Your Lordships will remember that, at a later stage of the Bill, it occurred to my noble and learned Friend that this difficulty might be surmounted, and that even in this class of documents the full style and title of the Crown need not be used. The point, however, to which I now call the attention of your Lordships is that my noble and learned Friend, referring to the distinct declaration made elsewhere, stated that the effect of it was that the advice to be offered to the Crown would be that the ordinary and general use of the Imperial title would be confined to India. My Lords, on a later day the noble Earl on my right (the Earl of Shaftesbury) moved his Resolution. Your Lordships will remember that that Resolution was simply for an Address praying that Her Majesty would—

> "assume a title more in accordance than that of Empress with the history of the nation and with the loyalty and feelings of Her Majesty's most faithful subjects."

I merely mention the terms of the noble Earl's Motion to point out that nothing was said on the face of that Motion as to localizing or not localizing the use of the title. But when, in a very powerful speech, my noble and learned Friend on the Woolsack answered the noble Earl, he made use of expressions in several parts of that speech which to my mind convey, as clearly as words can do, that at that time his understanding of the engagement entered into in the House of Commons was precisely the same as my own—namely, that it was a double engagement; that the title of Empress should not, without necessity, be used in England; and also that, as far as possible, it should be limited in its use to India and for Indian purposes. The passages in that speech which appear to me unequivocally to prove my noble and learned Friend's understanding of the engagement are these. In the first place, he said—

> "The noble Earl proposes, in effect, that the title of Empress, even if assumed for India—even if used for India alone—is a title which will not be in accordance with the loyal feelings of Her Majesty's subjects."

My noble and learned Friend never uses words without meaning. Why did he use the words "even if assumed for India—even if used for India alone?" Because he understood the Government to have declared that the title of Empress should be assumed for India, and should be used in India alone—that is, as far as was reasonably possible. A little later my noble and learned Friend read the passage of Mr. Disraeli's speech on March 20, already quoted by me, in which he said that Ministers would advise the Queen that the title should be exercised absolutely and solely in India, when it was required. Then my noble and learned Friend referred to the difficulty about writs and charters in this country, which had been supposed to require, for their legal validity, the full statement of the style and titles of the Crown; and he said, in effect, that his answer, given a few days before, was given without the full consideration which had afterwards been bestowed upon the subject. He continued thus—

> "Well, my Lords, I have to state that it is the intention of the Government that the Proclamation to be issued by Her Majesty under this Bill shall comply literally with the engagements which have been given to the House of Commons; and that it will provide, in a manner analogous to the Proclamation of 1801, that upon all writs, commissions, patents, and charters intended to operate within the United Kingdom the Royal style shall continue as it is, without any addition. Again, it is said that the new title of Empress will overshadow the title of Queen of England. Well, my Lords, that appears to me to be not an argument, but a mere figure of speech, and I am at a loss to conceive how the great title of Queen of England, unchanged and unaltered, and sacred in this country and beloved by every subject of the Crown, can possibly be overshadowed by the addition of a title apposite and appropriate to and only to be used in India."

My Lords, the debate did not end with that speech. My own impression was unequivocally conveyed in the speech which I addressed to your Lordships on that occasion. I will not read much of it; one or two lines are enough. I said—

> "Her Majesty's Government have pledged themselves that the title of Empress shall be used only in reference to India. . . . It is by the promise to localize this title in India that Her Majesty's Government have distinctly admitted their knowledge that the name is unpopular in this country."

At a later period of the evening the noble Earl (the Earl of Carnarvon) also addressed your Lordships in an able speech. My noble Friend's words were these—

> "As to England, it has been asserted throughout the debate that the title of Empress is not to apply to India alone, but to this country. But your Lordships have heard Members of the Government, over and over again, emphatically deny that statement. I am at a loss to know how they can do so in terms more explicit. It has been contended that this title of Empress cannot be localized; but I should be very sorry if my noble and learned Friend on the Woolsack and the Law Officers of the Crown were unable to find some means of effectually securing that object. My noble and learned Friend told us how the Proclamation was to be issued, and that the title would be confined to the measures which run only in India, and I should be very loath indeed to doubt his capability to give effect to that intention."

This brings us to the last stage but one of the Bill in this House. It will be recollected by your Lordships that on that same evening I repeated the expression of my doubt whether, consistently with what had been laid down as law, the Bill without amendment would admit of the intended limitation of the use of the title of Empress, as far as related to those writs, charters, commissions, and other documents which in this country have usually been expressed in the full style and titles of the Crown. My noble and learned Friend promised to consider that question; and on a later day he stated that the Government saw no difficulty and thought no amendment necessary. After I, on the very last occasion when the Bill was before your Lordships, had endeavoured to state the grounds of the opinion which I entertained, that if the law was as had been laid down, the limitation could not be made under the Bill as it stood, my noble and learned Friend on the Woolsack said this—

> "The attention of the Government had been called to this point—that there were a great many formal official documents operating in this country, such as writs, &c., in which the title of the Crown was recited, and the Government were asked whether it was their intention, after what had been stated in the other House of Parliament, that the style of the Queen in these documents should in future include the title to be assumed for India. Well, the Government gave an undertaking on that point to which they were pledged, and which they were bound to fulfil, and that was that there should be no change in the Royal style and title in such documents as those which he had just mentioned."

And later on my noble and learned Friend added—

> "It was quite possible—and that was sufficient for his purpose—to say, that in the Proclamation issued under the present Bill . . . such addition should be confined to all documents other than those to which he had referred as operating in the United Kingdom. If that were done, the Proclamation could not operate beyond the words of it, and the difficulty suggested by his noble and learned Friend would not arise."

There alone was language used which, taken according to the letter, would be found to correspond with the language of the Proclamation afterwards issued. But I need not say that no man in your Lordships' House could then suppose, or could now or at any time suppose, that my noble and learned Friend, in using that language at that time and for that purpose, himself thought that he was retracting any part of the engagements previously given by himself and by others in this and the other House of Parliament, or that he was emancipating Her Majesty's Government by the form of words he then used from the complete fulfilment of all those engagements. My noble and learned Friend, of all men in the world, is not one who would "keep the word of promise to the ear and break it to the hope;" and nothing in the world therefore can be more certain than that he had no intention, by using those particular words on that particular occasion, to cut down or reverse the effect of previous engagements. Now, my Lords, I come to the Proclamation itself which has been issued. I find that the Proclamation, after reciting the Act of Parliament, proceeds thus—

> "We have thought fit, by and with the advice of Our Privy Council, to appoint and declare, and We do hereby, by and with the said advice, appoint and declare that henceforth, so far as conveniently may be, on all occasions and in all instruments wherein Our Style and Titles are used, save and except all Charters, Commissions, Letters Patent, Grants, Writs, Appointments, and other like instruments, not extending in their operation beyond the United Kingdom, the following addition shall be made to the Style and Titles at present appertaining to the Imperial Crown of the United Kingdom and its Dependencies; that is to say, in the Latin tongue in these words, 'Indiæ Imperatrix.' And in the English tongue in these words, 'Empress of India.'
>
> "And Our will and pleasure further is, that the said addition shall not be made in the Commissions, Charters, Letters Patent, Grants, Writs, Appointments, and other like instruments hereinbefore specially excepted."

The rest of the Proclamation, my Lords, is immaterial. Now, what is the effect of that? This is one of the points on which we very much wish to hear the explanations of Her Majesty's Government. But using my own ordinary intelligence, I will endeavour to construe this composition by the rules of the English language, and I will state what appears to me to be its effect. In the first place, your Lordships will observe that it is as general and as universal with regard to occasions not requiring the execution of a particular class of instruments as any words can be. Under the Proclamation, if, for instance, there were a new reign and a proclamation of a new Sovereign, beyond all doubt it must be made in this country with the full style and titles. Now I can quite imagine that to be reasonable and proper under the circumstances; but I would go on to say that on every occasion whatsoever not requiring a particular class of instruments emanating from the Crown Office, and in the nature of Crown grants, this title is not only permitted, but directed to be used "so far as conveniently may be." What is the force of these latter words? Why, they put the *onus probandi* on those who do not use the title of Empress. Some particular inconvenience must be alleged to justify any exception from the use of it. A remarkable illustration of this has, I believe, occurred already. I have heard, or rather I have read in the newspapers, that the Corporation of Dublin are desirous of presenting an Address to Her Majesty, and that Sir Bernard Burke, Ulster King-at-Arms, is of opinion, and has so advised the Corporation, that this is an occasion on which under the Proclamation the title of Empress of India ought to be used. I do not know whether Sir Bernard Burke is right or wrong; but it will occur to all your Lordships, that nothing can be a more direct encouragement and invitation to Her Majesty's subjects in this country to use the title of Empress of India on all occasions whatsoever when Crown Office writs and so forth are not used, but on which it may be proper, or thought desirable, to set forth solemnly the style of the Sovereign. I now come to the negative clause of the Proclamation. This only says that the addition of "Empress of India" is not to be made in the "Commissions, Charters, Letters Patent, Grants, Writs, Appointments, and other like instruments hereinbefore specially excepted." I will not puzzle your Lordships with a number of ambiguous cases, but it is quite plain that many doubtful questions may arise; and I have reason to believe, from what has passed elsewhere this evening, that even in the view of Her Majesty's Government all commissions in the Army and Navy are instruments the operation of which extends beyond the United Kingdom, and in which therefore the title of Empress must be used. Passing, however, from those ambiguous instruments of double operation, which are executed in the United Kingdom and operate beyond it —this, at least, is quite certain—that throughout the Colonies, in Australia, in Canada, in the West Indian Islands, in South Africa, and in every Dominion and Dependency of the Crown, this Proclamation directs the style of Empress of India to be used, on all occasions and in all instruments wherein Her Majesty's style and titles are used, without any exception whatever. Let us see how this will operate. I have here authoritative books containing the forms of Proclamations, and writs for the Convocation of the Dominion Parliament in Canada and the Provincial Parliaments, and of a variety of commissions and judicial writs issuing out of the Courts of Canada and in New Zealand, in all of which documents the style and titles of the Crown are used. In all these cases, in Canada and New Zealand, and wherever else the same rule applies, the title of Empress will have to be used. Talk of localizing the title in India! Why, as has been most truly said, the effect of this is to localize the title of "Queen" without "Empress" in the United Kingdom, and to make the title of Empress general and universal throughout all the rest of the Dominions of the Crown. Was that what was intended? Your Lordships can hardly have forgotten what passed in the other House of Parliament with reference to the Colonies. It was there urged by some hon. Members that if special recognition were given to India in the style and title of the Crown, that recognition should be extended to the Colonies. Against the adoption of that course various arguments were used. One was that the Colonies wished for no change; another, that they were in substance and in reality identified with the United Kingdom. Who, then, would have imagined that when the Proclamation appeared you were going to alter the style and title of the Crown in all documents of this kind throughout the Colonies, and that while making no special recognition of the Colonies themselves? Is it really possible that this can be done, and that at the same time we can in the long run keep out this addition to the Royal title from the United Kingdom? The bonds which unite the various parts of this Empire are so close that it is inconceivable that a title which is to be universal except in the United Kingdom can practically be kept out of the United Kingdom. The result of the whole matter is, that the only class of instruments in which, by this Proclamation, the title of Empress is directed not to be used, is that very class which, down to a very late stage of the Bill in this House, had been assumed and stated by the Government to constitute exceptions, unavoidable by law, to the performance of the engagement into which they had entered. The Government cannot possibly have meant this when they entered into that engagement: because, if they had, no occasion whatever, and no instrument whatever, in which the Royal style and titles were proper to be used, and in which nevertheless the style of Empress should not be used, could have been then in their contemplation. The present question is, Will or will not the operation of the Proclamation be such as I have endeavoured to describe?

If it will, was that the intention of Her Majesty's Government? If it was—which I am unwilling to believe—when, I should like to know, was that intention first conceived? If it was not their intention, what, then, I would ask, is to be done? Can this Proclamation be withdrawn or amended? and, if it cannot, is it to remain operative in the way I have mentioned? I will not weary your Lordships by dwelling again at any length on the difficulty which I originally stated—as to the power of Her Majesty to give such directions, as to documents which by law require in this country that the full style and title of the Crown should be used, as are given by the Proclamation. It appears to me with regard to that point that the Government are still on the horns of a dilemma, from which they have not shown that they possess the means of extricating themselves. Either they have or have not executed the power given to Her Majesty by Act of Parliament to make an addition to the style and titles of the Imperial Crown, and the dependencies thereof. If they have so qualified and entangled that addition with savings and exceptions that it cannot be used without making them, then they have not executed the power which is given by the Act; but if they have made an addition to the style and titles of the Crown at all—if there be any documents in this country requiring by law the full expression of the style and titles of the Crown—the Act of Parliament gives them no warrant to say by this Proclamation that the full style and titles shall not be expressed in those documents. On all these points we are, I think, entitled to some explanation from the Government; but, above all, upon this point—how far they have carried out their engagement that the addition to the Royal style and title should be localized in India and confined to documents to be used for Indian purposes. I think I have proved to your Lordships that they entered into that engagement, and I wish to hear from them whether it was not of the character which I have described, and if it was, how they reconcile it with the terms of this Proclamation.

THE LORD CHANCELLOR: My Lords, knowing as I do the opinions held by my noble and learned Friend on this subject, I am not surprised that he should have taken the earliest opportunity of calling your Lordships' attention to it. My noble and learned Friend has made a charge against the Government—to which from his point of view I believe he sincerely thinks they are open—of having committed a breach—which cannot be otherwise than wilful, if what he has sought to make out be correct—of a solemn and deliberate engagement entered into by them. My Lords, I feel the gravity of that charge. I feel the gravity of it as regards the Government, and I feel the gravity of it as regards myself; for if there is any Member of the Government who more than another is responsible to your Lordships for the engagement entered into with respect to the addition to the Royal title, it is myself. I will take, then, the charge of my noble and learned Friend, which he has stated clearly and distinctly, and I am greatly mistaken if I do not convince your Lordships that every engagement which has been made by the Government on this subject has been observed, both in its letter and in its spirit.

I will ask your Lordships to consider first the effect of the wording of the Proclamation itself; and here I wish to correct a slight error into which my noble and learned Friend fell in referring to the words "on all occasions and in all instruments wherein." My noble and learned Friend seemed to think that the mention of the word "occasions" was without limit. But that is by no means the case—there is a limit, and a distinct limit, imposed with regard both to "occasions" and "instruments;" and it is important that this should be borne in mind. The Proclamation is made to apply to occasions and instruments "wherein our Style and Titles are used," which, of course, means those occasions and instruments where the full use of the style and title of the Crown is proper. The words which follow are exactly the words of the Proclamation of 1801; and although it is not so customary now as then to use the word "wherein" as applicable to occasions, it was the word used in 1801; and when I recollect who were the framers of the Proclamation which was then issued, I am quite willing to adopt their language. This, then, is a Proclamation which applies only to occasions and instruments where, as I have said, the use of the full and complete titles of the Crown is proper. I dwell on that for the purpose of pointing out that this Proclamation has nothing to say to the Corporation of Dublin —the Proclamation is not meant to direct them how to frame their addresses. This is a Proclamation which applies to occasions where the full statutory title of the Queen ought to be used, and only to occasions of that kind. What the Proclamation further does is this:— It takes up every case in which, as far as I am aware, the full statutory title of the Sovereign ought to be used, because in this country there is no such use of the full style and title of the Crown except in documents emanating from the Crown. There is no such thing in this country as a verbal use of the full style and title of the Crown—except, perhaps, on that single occasion to which my noble and learned Friend referred, for I believe at the Coronation of the Sovereign—though I have never witnessed that ceremony—the Herald proclaims verbally the full style and titles of the Crown. But with that exception the use in this country of the full style and titles of the Sovereign by custom or law is usually confined to documents, and this Proclamation takes up and enumerates all those documents—charters, commissions, writs, appointments, and other like instruments. It would be difficult for any one to mention an instrument of authority coming from those offices from which such instruments usually proceed, which is not included in some one or other of the documents named in the Proclamation. I may observe, in passing, that Returns have been moved for, and I think furnished, from every Department of the State, of the occasions when the full style and titles of the Crown are used, and there is not one of those occasions which is not, in my opinion, comprised in the words set forth in the Proclamation. I therefore commence with this—that with regard to the United Kingdom there is in this Proclamation a complete and perfect exclusion of every single case in which the full style and titles of the Crown ought to be used, provided always that the documents in question operate only within the United Kingdom.

My Lords, there are, also, in the United Kingdom certain documents which have their origin here, but which do not spend their force here; but which have force and efficiency outside the United Kingdom. My noble and learned Friend (Lord Selborne) referred to the case of Treaties and diplomatic engagements in which the full style and titles of the Crown were set forth; but these do not operate merely within the United Kingdom. There is also the case of the appointment of the Governors of Colonies and the Governor General of India. The Governor General of India is appointed in this country by an instrument reciting the full style and titles of the Sovereign; and so would be the Governor of an adjacent colony—the Straits Settlements, the Governor of Ceylon or Hongkong, or any other of the Colonial possessions of the Crown. But with the exception of documents of that kind, I repeat that, so far as I understand it, I am prepared to state that every other document that I am aware of requiring the use of the statutory style and title of the Crown is included under these general words.

My Lords, that being the effect of the Proclamation — I put aside the subsequent portions, for they merely follow the Proclamation of 1801—I come now to ask what is the engagement which the Government gave upon the subject. Now, my Lords, I heard my noble and learned Friend pursue a course which I must venture to say, if I understand anything about the Orders and Rules of Parliament, was the most irregular course which could be pursued. There are occasions on which the declarations of a Minister in one House which have not been made in another must, of necessity, be referred to in the House in which they have not been made. There may be no information before the one House, and therefore it may be fit to refer to the statement made by a Minister in the other House in general terms. But I apprehend that where a measure that has come from the House of Commons has passed into your Lordships' House, and has been discussed here, and where declarations from Members of the Government have been elicited at full length and in great detail, it is utterly irregular to go back and read at length from columns of newspapers the speeches, not merely of Members of the Government but of other Members of the House of Commons, for the purpose of asking your Lordships to form an opinion of the effect of every sentence uttered in the other House. I do not know whether the reports read are correct or incorrect. I have no means of knowing it. We know, notwithstanding the great general correctness of the reports, how frequently errors arise. But what I do know is this—that we have got among the formal proceedings of the House of Commons a document which I will refer to, and we have the elaborate statements and declarations of the Government in this House upon this very subject. On three occasions—the noble and learned Lord referred to only two of them—I, as the organ of the Government, stated to your Lordships exactly what were the engagements of the Government. My noble and learned Friend rightly said that he did not expect me to say, on the third and last occasion on which I referred to this matter, that I had changed my mind, or that I retracted anything that I had stated on a former occasion. I wish to refer to the three statements I made as being identical, and as showing that,—not once or twice, but three times, and on three occasions—there was a distinct statement made by me in this House of what the engagements of the Government were, and as to the form in which the Proclamation would be. That was the time for my noble and learned Friend, or any one else, to challenge what was said here, and say that it was different from the engagements given "elsewhere." Before I read these engagements I may state what I understand the engagements of the Government to have been, and what the Government meant to be their engagement. What I understand the engagement of the Government to have been and what the Government meant was this—There was a great apprehension expressed that if the title of Empress was used commonly in the United Kingdom, this would happen—It was said round the Sovereign in this country there is a Court; there are persons in the Court who may fancy that the title of Empress is a greater and a more sonorous title than that of Queen; and they may imagine that it is a title more palatable to the Sovereign; and therefore it was said—"If you allow that title to pass into common use in England, or use it in public documents, it will pass from documents into conversation and social use; it will be used in Court, and it will become habituated, and overshadow the great and ancient title of Queen." In answer to that it was said, "But we, the Government, will endeavour to prevent the use of the title in the United Kingdom. We mean it to be localized in India, and to be used for India; and the way in which that can be best effected, so as to avoid a different result, is by taking security that the title shall not be used in this country. This will be the security that it will be used in and for India." I will read exactly what was said on the subject, and your Lordships will judge if my statement is not correct. The first suggestion came from the noble Earl who is Leader of the Opposition (Earl Granville). On the Second Reading of the Bill on the 30th of March, he said—

> "I have in my hand a list, not of all, but of some, of the public documents, in which it would seem that it will be necessary that the title of Empress should appear. The list includes all writs of summons to Peers, all writs for election of members of the House of Commons, all writs of patents for the erection of dignities, the creation of peers, baronets, or knights by patent; all patents for places under the Crown, including the First Lord of the Treasury, the Commander-in-Chief, the First Lord of the Admiralty, the Law Officers of the Crown, and others. It includes also proclamations with reference to the meeting and the prorogation of Parliament, patents, charters, and commissions of gaol delivery. The title of Her Majesty is used also in the statutes of every Session of Parliament, in every commission of an officer in the Army, and in the commission of a justice of the peace. Now, if I am right in my construction of the Bill before us, if necessarily and legally this new title of Empress will appear in documents which relate to both Houses of Parliament, which relate to the creation of every sort of dignity, which relate not only to the highest Courts of Justice, but to every petty session in the country, which relate to the army, and to all sorts of questions which may arise in municipal boroughs for instance, and which relate to inventions by which this new title will find its way to all our manufacturing towns—I ask, if this new title is to appear in official declarations in all these places, how is it possible to exclude the use of this new title from the conversational language of the people of this country?"

Not a word of the Colonies was heard at that time. The Colonies had, indeed, been mentioned in the other House; but they had been mentioned for the purpose of suggesting that they should be included expressly in the Royal Titles. Not a word was said in this House by any of your Lordships on that point. Attention was directed to the danger of the use in the United Kingdom, in those formal documents to which I have referred, of the new title of Empress. That was the evil that was to be guarded against—that the Government was to provide against. On that night I did not address your Lordships; but on a subsequent occasion, on the 3rd of April, when the noble Earl (the Earl of Shaftesbury), on the Motion to go into Committee, moved his Resolution, I stated then distinctly and advisedly and on behalf of the Government what was the undertaking that the Government proposed to give. I said—

> "My Lords, I have to state that it is the intention of the Government that the Proclamation to be issued by Her Majesty under this Bill shall comply literally with the engagements which have been given to the House of Commons, and that it will provide in a manner analogous to the Proclamation of 1801—that upon all writs, commissions, patents, and charters intended to operate within the United Kingdom, the Royal style shall continue as it is, without any addition."

That is exactly the words of the Proclamation, and that was the engagement and the only engagement we gave with regard to the Proclamation. I then said—

> "Again, it is said that the new title of Empress of India will overshadow the title of Queen of England. Well, my Lords, that appears to me to be, not an argument, but a mere figure of speech, and I am at a loss to conceive how the great title of Queen of England, unchanged and unaltered and sacred in this country, and beloved by every subject of the Crown can possibly be overshadowed by the addition of a title apposite and appropriate to and only to be used in India."

We meant it to be used nowhere but in India. Being an Indian title we considered that if not used here, it would be used nowhere but in India—a title apposite and appropriate to India. No one suggested that it would be used elsewhere—no one desired to bring it into use elsewhere. I will ask my noble and learned Friend this, which he may answer if he can—If it had been intended, as he has now persuaded himself, that there was to be a positive and affirmative provision in the Proclamation, that the title should be localized in, which, of course, means confined to, India, I ask what would have been the object of using all these excluding words—these words so carefully stipulated for—that the title should not be used in the United Kingdom? If you declared that this title was to be used only in India, what would be the use of saying that it was not to be used in the United Kingdom? It would be absurd, if my noble and learned Friend will excuse me saying so, to declare that it could not be used in the United Kingdom after it was declared that it should be used only in India. Here I think I may very fairly refer to a declaration which I made on the occasion between the Committee and the Third Reading of the Bill. In answer to the noble Earl the Leader of the Opposition I said—

> "We have considered whether any Amendment was, according to our judgment, necessary in the Royal Titles Bill, and, after considering that question with the greatest care, the Government are quite of opinion that there is no difficulty whatever in giving effect to the intention of the Government to except from the operation of the Bill all commissions, writs, or similar documents operating in this country. It is not, therefore, our intention to propose any Amendment in the Bill."

That was the second occasion on which I stated what the Government intended to do. Well, my Lords, on the Third Reading I again made the same declaration; and I entirely repudiate the notion that anything was said on that occasion with the view of changing the nature of the engagement given by the Government. I said—

> "The intention of the Government had already been called to the fact that there were a great many formal official documents operating in this country, such as writs, commissions to magistrates and officers in the Army, charters and documents of that kind in which the title of the Crown was recited, and the Government were asked whether it was their intention, after what had been stated in the other House of Parliament, that the style of the Crown in those documents should in future include the title to be assumed for India. The Government gave an undertaking on that point, to which they were pledged, and which they were bound to fulfil, and that was that there should be no change in the Royal style and title in such documents as those just mentioned."

Again, further on I said—

> "It was quite possible that in the Proclamation issued under the present Bill, which authorized Her Majesty to make 'such addition to the style and titles at present appertaining to the Imperial Crown of the United Kingdom and its Dependencies as to Her Majesty might seem meet,' such addition should be confined to all documents other than those to which I had referred as operating in the United Kingdom. If that were done, the Proclamation could not operate beyond the words of it, and the difficulty suggested by my noble and learned Friend would not arise."

My Lords, in the face of these statements, in which I expressed the engagement of the Government with regard to the limitation of the title in words almost identical with those of the Proclamation, I am at a loss to understand on what principle my noble and learned Friend has persuaded himself that the Government have broken faith with Parliament.

But, my Lords, the matter does not rest here. To show what was done in the House of Commons on this subject I shall refer, not to reports of speeches, which may be correct or not, but to the official records of the other House which lie on your Lordships' Table. It was not left to be gathered from speeches what the intentions of the Government were. A Motion was distinctly put before the House of Commons by an eminent Member of that House to insert in the Bill a provision which those who were opposing the Bill in that House desired to have—a security which they wished to be taken with regard to the limit to be put on the use of the new title of the Crown. My Lords, can anything be fairer than to refer to that? Can anything be more conclusive than that? Can all the speeches which have been made in Parliament on the subject weigh for a momenst against a formal engagement presented to the House of Commons—which I think took the form, not of a request to the Government, but a command; but which was not adopted, because the Government gave an undertaking which was supposed to meet the end in view? I refer to what my noble and learned Friend referred to, and I wish he had referred to it with more point and emphasis—I mean the proposition brought forward in the other House by Mr. Pease.

Lord SELBORNE: I gave the words of it.

The LORD CHANCELLOR: Yes—and I repeat, I wish my noble and learned Friend had given it with more point and emphasis. Here is Mr. Pease's clause—

> "Provided that nothing in this Act contained shall be taken to authorize the use in the United Kingdom of any style or titles of Her Majesty other than those at present in use as appertaining to the Imperial Crown."

And what was said with regard to the proposal? The Prime Minister said—

> "You must not tie us down not to use the new title in the United Kingdom, because it may have to be used in exceptional documents, such as treaties;"

and the House felt the force of that observation. The proposition was not put to the vote, but it was the issue presented to the House, and supposing it had been introduced into the Bill you would have had in the Bill exactly what you have in the Proclamation. The Proclamation has done exactly what Mr. Pease asked the House of Commons to do in the Act of Parliament, and the Government, forsooth, is accused by my noble and learned Friend of a breach of engagement. Breach of engagement! Why, if I had committed any such breach of engagement I should have been unworthy to stand here to address your Lordships, and should have rendered the other Members of the Government unworthy to occupy a place on that bench. If my noble and learned Friend is convinced of the truth of his charges, he ought to propose a Vote of Censure on the Government. I repudiate with indignation the idea that there has been any breach of engagement in this case. It was the understanding of every person in the House of Commons, and I believe it was the understanding in your Lordships' House that the localization of the title in India would be secured by the exclusion of the use of the title from the United Kingdom.

But my noble and learned Friend says—"What about the Colonies?" Well, I cannot imagine that there is the least chance of the new title coming into use in the Colonies. Why should it? How could it be the interest of any person in the Colonies to adopt this title, and by what means could it possibly be introduced there? My noble and learned Friend says the Proclamation will force the Colonies to use it. There I differ entirely from my noble and learned Friend. This Proclamation has not been made or issued in any Colony, and even if it were to be made or issued in a Colony, there are very few instruments indeed in the Colonies in which the full titles of the Crown are used; and where there are instruments of that kind it will be for those who regulate the framing of them to judge whether the new title may be conveniently used in accordance with the terms of the Proclamation. If they think it may not be conveniently used, they will not be obliged to use it. But, however that may be, it was not a matter on which any engagement was given by or asked from the Government. The question of the Colonies never entered into the discussion.

My Lords, my noble and learned Friend went on to repeat an objection which he raised on a former occasion—namely, that although we profess in the Proclamation to limit the use of the title, we have no power given us by the Act of Parliament to do so. Now, I think I understand exactly what my noble and learned Friend's view is on that subject. It is not very consistent; for he first objects to the Proclamation because we have not limited the use of the title sufficiently; and then he objects to the Proclamation because, as he asserts, we have no right to limit the use of the title at all. Now, my Lords, I am anxious, as far as I am concerned, that no doubt with respect to the scope of the Proclamation should be allowed to exist. My noble and learned Friend's view is this—that the Royal style and titles of the Crown is a thing so complete and entire that once you have in any case made any addition to it, it cannot afterwards be modified or moulded in any way, and that you cannot provide for its use in different forms under different circumstances. The observations of my noble and learned Friend were founded on what I took the liberty of calling on a former occasion a "disinterred authority" of the year 1678. My Lords, I thought my noble and learned Friend would have abandoned that authority. It is a somewhat remarkable authority. It is a decision of Chief Justice Scroggs during the three years of that infamous life when he presided over the Court of Queen's Bench, and the records of which, as his biographer says, present such a combination of ignorance, arrogance, and brutality as fully to justify the censure almost universally pronounced on the judicial appointments of the latter part of the reign. My Lords, it was before that notorious Judge that some unfortunate criminal in litigation with the Crown took out a Writ of Error, and had it quashed by the Chief Justice and his Colleagues—and, no doubt, if it had not been quashed on the ground of the title of the Crown, it would have been quashed on some other ground. But we have got two clear and distinct precedents on this subject, about which there can be no manner of doubt. As far as I know, there are only two Proclamations as to the Royal style and titles. My noble and learned Friend's view is that the entire Royal style and title must be used wherever the title is used at all; but that equally applies to the style and title whether arising under a statute or under a Prerogative; and if the style is entire in the one case it is entire in the other. Now, we have the Proclamation of 1801, which is entitled to the highest respect, because it had the approval of such high legal authorities as Lord Loughborough, Sir William Grant, and Sir John Mitford. That Proclamation declared that—

> "The style and titles aforesaid shall be used henceforth as far as conveniently may be on all occasions wherein our Royal style and titles ought to be used."

And yet, even there the case of the coinage and of stamps is provided for in the same way as it is provided for under the present Proclamation. Now, the coinage has the style and titles of the Crown upon it, and there is just as much authority for the style and titles of the Crown being on the coinage as there is for their being on a writ. It rests on custom, and nothing else but custom, in both instances. There is no law which requires the style and titles of the Crown to be placed either in a writ or on the coinage; but it is the custom that it should be there. Well, in the Proclamation of 1801 it was provided that, although the style upon other occasions was to be that which was prescribed in that Proclamation, the old and other style was to continue upon the coinage. That was a tolerably clear indication on the part of those who framed that Proclamation that that which we have done in the present case was entirely within the competence of a Royal Proclamation. But the matter does not stop there. We have a Proclamation with no less an authority than that of Lord Coke, in the reign of James I.—a Proclamation issued with regard to the title of the Crown when Lord Coke was Attorney General. It was a very interesting document. It arose in this way — When James I. came to the Throne of England he was King of England and King of Scotland, and that was the style of the Crown—King of England, King of Scotland, and King of France and Navarre. But James I.

wished to change the style and to introduce the style of Great Britain, which had never been assumed before; and he accordingly issued a long and formal Proclamation giving his reasons for the alteration. He changed it from King of England and King of Scotland to King of Great Britain, and this is what he said—

> "Upon all wch consideracons we do-by these presents by force of or kinglie power and prerogative assume to ore self by the cleernes of or right the name and stile of King of great Brittaine Fraunce and Ireland Defender of the Faith &c. as followeth in our just and lawfull stile. And doe hereby publishe promulge and declare the same to thend that in all Proclamacons Missives fforeing and Domesticall Treaties Leagues Dedicatories impressions and in all other cases of like nature the same may be used and observed."

Then observe, my Lords, what follows—

> "fforbearing only for the present that anything herein conteyned doe extend to any legall proceeding instrument or assurance untill further order be taken in that behalf."

That is the very thing that has been done on this occasion. An exception is made from the general description of documents first specified of certain other documents, in law, until further order be taken. And what happened? For nearly a century the legal instruments ran on in the old form. My noble and learned Friend's case which came before Chief Justice Scroggs in 1678 was an instance of it. The authority which finds so much favour with my noble and learned Friend went upon this—that the style should be King of England and of Scotland, and not of Great Britain. I prefer, my Lords, to be in error with Lord Coke rather than to rely on the only other authority which has been adduced against us. We have the authority of the Proclamation of James I., and also that of the only other Proclamation on this subject which I am acquainted with—namely, that of 1801. I am sorry to have occupied your Lordships so long; and I trust that I have proved to you that the idea that there has been any breach of faith on the part of the Government is wholly without foundation, and that the present Proclamation is entirely within the competence of the Crown.

Lord HATHERLEY said, that his noble and learned Friend (Lord Selborne), in order to introduce in an intelligible manner his statement of the alleged undertaking given by the Prime Minister in the other House, had necessarily to quote those questions and interrogatories put from the other side in answer to which that undertaking was said to have been given. The noble and learned Lord on the Woolsack had, however, complained of that course being taken; and yet, strange to say, he had himself thought it right and just to cite the words used in the other House by the Prime Minister as those on which the Members of the Government in their Lordships' House were prepared to stand. Was it possible, then, for the noble and learned Lord on the Woolsack to contend that his noble and learned Friend was wrong in stating the question which had led up to the declaration of the head of the Government, and made it clear? It would not have been deemed fair on the part of his noble and learned Friend if he had not done that. The argument, however, which the noble and learned Lord on the Woolsack was now called upon to answer was this—The engagement of the Prime Minister was two-fold; it had both a negative and a positive aspect. Its negative aspect was that there should not be in documents issued in this country requiring the title of the Crown to be set out, the user of the title which the Queen might be advised to assume in addition to her existing title; and on the other hand, there was a positive statement that that title should be localized in India. Did the promise to localize the title and confine it to India mean spreading it over every part of the Empire? He contended that what the Government had done was a plain breach of the engagement which they had given, and it was of that which his noble and learned Friend and those who agreed with him complained. It should be observed that the question of commissions, charters, patents, and the like was introduced in this way. The Government said—"You cannot tie us down in this strict manner, because there are documents, charters, and the like which require to have the Queen's full title set forth, and we must set it forth in these cases." But it was now said—"It shall not be used in those documents which are confined strictly to England." How did that answer the public desires on the subject? The new title was to be put prominently forward in all commissions of officers of the Army. Well, if there were one way more than another which would spread it over the length and breadth of the land it was its use in the commissions of officers of the Army—because these were things which young officers desired to bring home with them, and which all the members of their families desired to see. How was that adhering to the promise which had been made, in deference to the feeling of the people of this country, who disliked the merging of the noble and time-honoured title of Queen in the new title of Empress? The noble and learned Lord on the Woolsack had rather singularly claimed Lord Coke as showing how a change in the Royal title might be made exactly in the same way as had been done by Her Majesty's Government in making this addition to it. But Lord Coke felt it was not right that the style and title in a single document should be altered, and he said to King James—"Your Majesty may call yourself King of Great Britain if you please, but you cannot dispense in a single document with that which has become part and parcel of the law of the land." He would be glad to see the Act forgotten as soon as anybody could forget it; but instead of saying that this Proclamation satisfied the engagement which had been given, he felt it would be a breach of duty if some one in their Lordships' House had not stood up and protested against what had been done. The noble and learned Lord on the Woolsack had been asked two Questions. To one he had given an insufficient answer, and to the other no answer at all.

PROVISIONAL ORDERS (IRELAND) CONFIRMATION BILL [H.L.]

A Bill for confirming certain Provisional Orders of the Local Government Board for Ireland relating to the Township of Dalkey, the Galway Union, the City of Londonderry, the Newtownards United Burial Grounds District, the Omagh Waterworks, and the Wexford Waterworks—Was *presented* by The Lord President; read 1ª; and *referred* to the Examiners. (No. 67.)

ALL SAINTS, MOSS, BILL [H.L.]

A Bill for remedying certain defects in the constitution of the district of All Saints, Moss, in the County and Diocese of York—Was *presented* by The Lord Archbishop of York; read 1ª. (No. 70.)

House adjourned at a quarter past Eight o'clock, to Thursday next, half past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, 2nd May, 1876.

MINUTES.]—Select Committee—Civil Departments (Employment of Soldiers), *appointed.*

Public Bill—*Second Reading*—Tenant Right at the Expiration of Leases (Ireland) [84] [House counted out].

Select Committee—Report—Poolbeg Lighthouse* [105-140].

THE ROYAL TITLES ACT.

QUESTIONS.

Sir HENRY JAMES asked Mr. Chancellor of the Exchequer, Whether on March 20th, at the time the Royal Titles Bill was in Committee, it was the intention of Her Majesty's advisers not to advise Her Majesty to take the title of Empress to be borne in this Country, but that it should be a title of a local character to be borne in India; whether the Proclamation issued under the Royal Titles Bill does so limit the use of the title of Empress that it cannot be used in this Country; and, whether the Proclamation renders it a title of a local character to be borne in India?

The CHANCELLOR of the EXCHEQUER: Mr. Speaker, I have referred to the report of the debate to which the hon. and learned Gentleman calls attention; and I may say that the intention of Her Majesty's advisers was expressed in that debate, both by the Prime Minister and by other Members of the Government, including myself. Substantially it was stated, as is mentioned in the Question of the hon. and learned Gentleman, that it was the intention of the Government to advise that the title of Empress should not be borne in this country, but should be a title of a local character, to be borne in India. I think I myself made use of these words. But there was considerable debate, and it was explained in the course of that debate by the Prime Minister that there would be circumstances under which it would be necessary that the Queen should acknowledge herself in this country, and should allow others to acknowledge her, as Empress of India. Instances were given, and it was on this ground that the Government resisted an Amendment which was under discussion, moved by the hon. Member for South Durham (Mr. Pease). That Amendment was to this effect—

> "That nothing in this Act contained shall be taken to authorize the use in the United Kingdom of any style or title of Her Majesty other than those at present in use as appertaining to the Imperial Crown."

That Amendment was resisted by the Government on the ground that it would preclude the Queen, under certain necessary circumstances, from using the title of Empress in this country. It was resisted, and it was not adopted by the House. Well, Sir, it appears to me that the Proclamation exactly gives effect to the intentions so expressed by the Government. It would have been contrary to those intentions if it had not expressed them as they were expressed on that occasion in opposition to the hon. Member for South Durham, and if it had so limited the use of the title as that it could not, in any circumstances, have been used in this country.

Sir CHARLES W. DILKE asked the First Lord of the Treasury, Whether the new Imperial Title will be used in Army Commissions?

Mr. DISRAELI: Mr. Speaker, on the 3rd of April the hon. and learned Member for the City of Oxford (Sir William Harcourt) inquired of me whether—

> "In the event of Her Majesty being advised by Her Ministers to assume the title of Empress of India, it is intended that such title shall be employed in all public instruments and documents of State in which the full statutory style and title of the Queen is now set forth, and particularly in the case of Writs of Summons to Peers of Parliament, Writs for the Election of Members of the House of Commons; Patents for the creation of dignities of the United Kingdom, Patents for appointments to offices in the United Kingdom, such as those of Lord Chancellor, Lord Lieutenant of Ireland, Chancellor of the Exchequer, the Law Officers, and the Judges of the United Kingdom; instruments relating to the appointment of Bishops in England; Commissioners for giving the Royal Assent to Acts of Parliament; instruments relating to the summoning, prorogation, or dissolution of Parliament; documents authorizing the meeting of Convocation; Commissions to Justices of the Peace in the United Kingdom; Royal Commissions for inquiry and report into matters not relating to India; Patents for inventions in the United Kingdom; commissions to Officers in the Army; Charters of Incorporation or for other purposes in the United Kingdom; and other like instruments issuing under the authority of the Crown; and, if so, in what manner he proposes generally to limit the public use of the title of Empress to India and Indian affairs and to restrain its application in respect of acts of State relating to the government of the United Kingdom?"

I answered the hon and learned Gentleman then, that in the first place, speaking generally of what our policy was, that in the internal government of the United Kingdom the title of Empress was not to be used, but—and what I said will probably be remembered because it was the subject of a jest at the time, and not a bad one—I said, I believe, that it was to be "used externally." These were the remarks I then made, when the hon. and learned Gentleman the Member for the City of Oxford read that bead-roll of public documents and instruments, which, in fact, included the whole of the government and administration of the United Kingdom. I have to say, in answer to the hon. Baronet, that with that catalogue before me, and under what I must consider the highest advice on the subject, I believe that, with one exception, there is not a single public instrument or document of State, including, as the catalogue did, the whole of our administrative system and government, that is not entirely and completely covered by the Royal Proclamation; and that sole exception is the commission to officers of the Army now referred to by the hon. Baronet. That was purposely omitted, because the Army serves Her Majesty in India; and to bring about such a state of affairs in which the Army in the Indian Empire did not bear the authority and commission of the Empress of India would be, every one must feel and know, most ridiculous. That is my answer to the Question of the hon. Baronet.

Mr. OSBORNE MORGAN asked Mr. Attorney General, Whether the Royal Proclamation of the 28th April requires that in future the additional Title of Empress of India must be used in Proclamations, Writs, Charters, Commissions, and other like instruments issued by the Governors or out of Supreme Courts of Colonies? The hon. and learned Member explained that he alluded to cases in which the full title of the Queen is at present used?

The ATTORNEY GENERAL: In answer to the Question of the hon. and learned Gentleman I have to say that the Royal Proclamation, in my opinion, only requires the use of the addition of Empress in instruments having operation in the Colonies or out of the United Kingdom, in cases where it is necessary to make use of the full and complete titles of Her Majesty. I doubt whether it is, in strictness, necessary to employ the complete titles of Her Majesty in proclamations, charters, or commissions, if there are any issued, by the Governors of Colonies. In writs, the form of which is prescribed by charter, it may, perhaps, be necessary to employ the full titles; and in respect of instruments in which it is necessary to do this it will be for the authority issuing them to decide whether the addition of Empress can be conveniently used.

Mr. T. E. SMITH: I beg to give Notice that on Thursday next I will ask the Attorney General Whether, in his opinion, Sir Bernard Burke is correct in advising the Corporation of Dublin that the proper style and title of Her Majesty to be used in their congratulatory Address includes the words Empress of India, as stated in the newspapers of this day.

PERU—CREW OF THE STEAMSHIP "TALISMAN."—QUESTION.

Mr. GORST asked the Under Secretary of State for Foreign Affairs, Whether the master and surviving mate of the "Talisman" have been yet released by the Peruvian authorities?

Mr. BOURKE: It will be in the recollection of the House that a few days ago I stated that the captain and mate of the *Talisman* had been sentenced to banishment from Peru, and I also stated that we had telegraphed to know whether they had been actually released. A few days since we heard that the prisoners had appealed against this sentence of banishment; but the mate, it appears, does not wish to appeal to the Supreme Court, while the captain seems determined to do so. Under these circumstances, Mr. St. John, Her Majesty's Minister at Lima, is trying to get the cases of the two men separated in order that the mate may not be injured by the determination of the captain. In consequence of this information I should conclude that the men have not been released.

NATIONAL TEACHERS (IRELAND) ACT, 1875—NON-CONTRIBUTORY UNIONS.

QUESTION.

Captain NOLAN asked the Chief Secretary for Ireland, If he will state either what is the amount which it is estimated will be paid next year from the Imperial Exchequer, or the amount which has been paid last year, in salaries and results, in Schools situated within non-contributory Unions in Ireland?

Sir MICHAEL HICKS-BEACH: The hon. and gallant Gentleman has asked me two previous questions on this subject, and I fear that I have failed to make myself clear to him, whilst endeavouring to explain to him the reasons why I could not give him the information he desires. The reason is simply this—that the accounts of the Education Department presented to Parliament do not show the amounts paid to the teachers of the schools in contributory as distinguished from non-contributory Unions by way of salary separately, and that these items cannot be separated without considerable labour and expense.

PARLIAMENT — COMMENCEMENT OF PUBLIC BUSINESS.—OBSERVATION.

Mr. SEELY said, that upon the Opposition side of the House it was generally understood yesterday that the new arrangement for commencing Public Business—namely, at a quarter-past 4 o'clock instead of half-past 4, would not come into force till Monday next. To his surprise he found on coming down to the House that the arrangement came into force that evening. Many other hon. Members had been disappointed in the same way. He wished to ask the right hon. Gentleman the Prime Minister if he did not announce that the altered hour of meeting would commence on Monday?

Mr. DISRAELI: I state distinctly that I did not say so. But I dare say the erroneous impression of the hon. Gentleman may have arisen from the original Notice given upon the subject, in which the words "next Monday" were used.

CIVIL DEPARTMENTS (EMPLOYMENT OF SOLDIERS).

MOTION FOR A SELECT COMMITTEE.

SIR HENRY HAVELOCK rose to move that a Select Committee be appointed to inquire—1st. How far it is practicable that Soldiers, Sailors, and Marines who have meritoriously served their Country should be employed in such Civil Departments of the public service as they may be found fitted for; 2nd. How far it is practicable, in order to form and retain an efficient Reserve Force, for the State to become the medium of communication between private employers of labour and Soldiers of the Army Reserve and Militia Reserve who desire to obtain employment; and that the Committee be directed to report on the best means of carrying these objects into effect. The hon. and gallant Gentleman said, so far as he could form an opinion, the Motion was regarded with favour by both sides of the House. He did not claim originality for his Motion, because it had been brought before the House on former occasions, and his intention was to endeavour to solve a question that had been under consideration at various times. As he understood, the Government did not object to his Motion. He might have sat down if it were not that he wished to remove some misconceptions which prevailed in respect to the extent of the employments which might be thrown open to old soldiers, sailors, and Marines. It had been alleged that there were 120,000 such appointments; but, having gone fully into statistics, he believed that one-tenth of that number would be all that could fairly be placed at the disposal of the Army and the Navy. The matter assumed unusual importance from the difficulties of recruiting for both the Army and Navy. At the beginning of the year our Army was 3,000 below the regular establishment, and since then there had been a steady failure, month after month, in our recruiting. That was the more remarkable, inasmuch as the present was a period of great depression in the coal and iron trades, when it might be expected, as had been previously the case, that there would be a strong flow of men into the Army; and this was irrespective of what they would have to face in the course of the next 12 months, when a large body of men would pass from the Army into the Reserve, so that, unless some remedy like that which he proposed were adopted to induce men to join the ranks, the deficiency would be to the extent of 8,000 or 9,000 men, and that would go on increasing from year to year. As to the Naval Service, he did not propose to enter into details with reference to it, but he hoped to hear that some steps had been taken in connection with that Service. The falling-off in the number of recruits, which had been frequently adverted to, was not, perhaps, so ominous as the decline in their *physique*. Those who had seen the soldiers on drill who had recently joined the Service would bear him out in saying that nothing could be more marked than the difference between at least one-fourth of the recruits now obtained and the men we used to get 20 years ago. It was clear that no system of compulsory service would be ever tolerated in this country, and they were fast reaching the point beyond which they could not carry the inducements of bounty and pay. The War Office could only offer an indirect inducement to men to join the Army, and this inducement he could only find in the terms of his Motion. It was at one time supposed that an impetus might be given to recruiting by offering an increased number of commissions to men who rose from the ranks, and under the old purchase system men looked to promotion from the ranks; but under the present system it was no longer easy to induce men to accept commissions. Sir Charles Trevelyan, in recommending a similar measure, stated that there were about 100,000 appointments in the Civil Service, for the discharge of which the qualities required were good health, steadiness, exactness, the intelligence to understand orders and the ability to carry them out; and these were the qualities which the military system was peculiarly qualified to call forth. Field-Marshal Sir John Burgoyne stated that there were many qualities peculiar to the soldier and sailor which rendered them more eligible than others to discharge with efficiency situations in civil life, and to protect property intrusted to their charge. The annual Report of the Postmaster General for 1874, giving the result of the experience of the years 1872 and 1873, at a time when he was not in office, stated the result of the experiment made by placing a number of nominations to the places of rural postmen and messengers at the disposal of the War Office. In 103 cases the appointment was declined by the men to whom it was offered; in others they failed to pass the medical examination, the general result being that out of 220 nominations only about 40 were really admitted into the Post Office service. Upon the whole, the Postmaster General reported that the attempt had proved a signal failure. He ventured, however, to differ from this conclusion. The rural postmen and messengers received a very small pittance, and had to walk from 18 to 20 miles a day in all weathers; and a trial should be made in offering them situations in and about the suburbs of towns. The selection had not been made in the best way, and the system of appointing these men to situations in the Post Office ought not to be condemned as impracticable without a further trial. As regarded the second part of his Motion, he had no wish whatever to interfere with the ordinary economic rule of supply and demand, but to afford the men on service in the Reserve the means of keeping up their acquaintance with the habits of labour; for, strange to say, those who were brought up as soldiers were, when they obtained their discharge, helpless to the degree of children in respect to any ordinary occupation. The Secretary of State for War proposed a scheme of deferred pay for the soldiers, and this addition might work in and would combine very well with the proposal now before the House. Whether it should be carried out by a department or sub-department of the War Office, or attached to the brigade depôts, he would not decide; but at some place or other a sort of register should be kept giving the names of such soldiers as desired employment, and its character. He believed from the experience of those who had tried the system he recommended that employers would be glad to have a larger selection than they now had of men who, from their service in the Army, were entitled to receive good characters; and the country would be benefited in this among other ways—that as regarded the men of the Reserve who were so employed, it would be known where they were when they were required. The hon. and gallant Member concluded by submitting his Motion to the House, and hoped the right hon. Gentleman the Secretary of State for War would consent to the appointment of a Select Committee.

GENERAL SHUTE, in seconding the Motion, said, he endorsed every remark made by his hon. and gallant Friend. The measure which he had advocated was not a new idea. Twelve years ago it was first originated by Captain Edward Walter, who might be truly called the old soldier's friend, when he established the Corps of Commissionaires. The subject had afterwards been brought before the House by the hon. and gallant Member for Westminster (Sir Charles Russell) and again by his noble Friend the Member for Haddingtonshire, and discussed at a meeting held at the United Service Institution, over which Lord Derby presided. The objection that had been urged on one occasion by the right hon. Gentleman the Member for the City of London (Mr. Goschen) was that to establish the system would be to establish a monopoly. But it could hardly be said to be a monopoly, considering that the Army and Navy were open to every man in the Kingdom. Since the adoption of short service it had become a great object to recruit for the Army men of not less than 20 or 21 years of age, instead of mere boys; but by the time that age was reached Englishmen had adopted a trade or calling of some kind, and, however anxious they might be to join the Army, they would not do so without some further inducement than was at present held out. If the system of making service and good conduct in the Army a stepping-stone to minor employment in the Civil Service were more general, that inducement would be afforded, and desertion would be far less prevalent in our regiments. He was surprised to learn that when messengers employed in the War Office and Horse Guards were superannuated their pensions were deducted from their superannuation allowances, which he considered to be most unjust to men who had served their country in the Army. He should like to see a Return showing how many men were employed, say, at the Horse Guards in minor capacities who had been servants of influential persons and were never old soldiers at all. The hon. and gallant Member quoted the opinions of Sir Charles Trevelyan and other persons of authority in favour of conferring civil employments on deserving and intelligent soldiers. He regretted, however, to say that there was a great jealousy in the civil departments as to the employment of soldiers — not on the part of the Heads of the Departments, but of the minor officials; and he believed that, except under the pressure of a strong Report from a Committee of the House, the understrappers in those offices would never give any employment when they could possibly avoid it to military men. The question was an important one, not alone for the sake of the soldier, but also for the sake of the Service, and he hoped, therefore, that all hon. Members who took an interest in the Army would support the Motion.

Motion made, and Question proposed,

"That a Select Committee be appointed to inquire,—

"1st. How far it is practicable that Soldiers, Sailors, and Marines who have meritoriously served their Country should be employed in such Civil Departments of the public service as they may be found fitted for;

"2nd. How far it is practicable, in order to form and retain an efficient Reserve Force, for the State to become the medium of communication between private employers of labour and Soldiers of the Army Reserve and Militia Reserve who desire to obtain employment:

"And that the Committee be directed to report on the best means of carrying these objects into effect."—(*Sir Henry Havelock.*)

MR. GATHORNE HARDY said, that in bringing forward the Army Estimates this year the subject before the House naturally attracted his attention. It was one which for many years had been before the country, and he thought the time had come when an impartial inquiry into it would be very beneficial alike to the Army and to the country. The fact was there was a great deal of misconception on both sides. There was misconception on the part of the country, probably, as to the demands of the Army; and there was certainly great misconception, in his opinion, as to the amount of places which could be put at the disposal of the Army. These were subjects, however, which it would be very wise to inquire into. He would not go into the experiment to which the hon. and gallant Member for Sunderland (Sir Henry Havelock) had referred, because probably at the time it was made there existed some exceptional circumstances —he alluded to the Post Office, where the experiment as to the employment of soldiers was not altogether successful. It was clear that the posts of letter carriers in the rural districts were not of the most desirable kind; but it was a mistake to suppose that the work of letter carriers in the metropolis was either the most easy or pleasant to be obtained. Some experiments had been tried in order to provide employment for discharged soldiers as temporary writers in the Civil Service; but these experiments had not been attended with the success that could have been desired. As the result of inquiries he had made, he had found that while only one in six of the ex-soldier applicants for these posts was qualified for the duties attached to them, there was really no pressure of qualified applicants. It seemed that the appointments to which soldiers would look forward, and very naturally so, were messengerships, for which they might be singularly qualified by their habits of obedience, punctuality, and discipline. He agreed with the hon. and gallant Member for Sunderland in thinking that all possible inducements should be offered to men to become soldiers, and also to conduct themselves properly while in the Army. Some such inducements existed at present; but he did not think they were thoroughly understood or appreciated in the country. He should be glad if something could be done to give greater prominence to the matter, in order that the deficiency at present existing as regarded recruiting might be made good. With regard to the second part of the Notice, he would remind the House that it only appeared on the Paper that morning, that it referred to a subject which had not been much before the country, and that it dealt with a very broad question. The question of employing discharged soldiers in the different Departments of the Government was one thing; but it was an entirely different matter for the State to interfere in order to supply private employers with workmen. The two questions had, in his opinion, to be kept entirely apart, and he would therefore suggest to the hon. and gallant Gentleman who had brought the Motion forward that he should confine himself to so much of his Motion as involved the employment of discharged soldiers in different branches of the Civil Service. If this were done he would give a ready assent to the appointment of the Committee that was asked for. At the present moment the establishment of brigade depôts was not sufficiently advanced for any useful inquiry to be made as to the possibilities they would afford of employing men who had been in the Army. When the Reserve Force had attained a number of 80,000 or 90,000 men it would be putting an impossible tax upon the different Departments of the Civil Service to find employment for all the men who, having left the Army, wished to find opportunities of utilizing their time in civil life. But if such men wished to take service with private employers, such employers had ample facilities for ascertaining the characters of the men who might apply to them, and, on the whole, he thought discharged soldiers would never fail to find good employment if physically fitted for it. The first part of the proposed inquiry would be ample for the present Session; and a Motion which involved the character of the supply of labour throughout the country should not be adopted without much longer notice than that upon which this had been brought forward, so that the country might have sufficient time to consider it.

GENERAL SIR GEORGE BALFOUR rejoiced that the right hon. Gentleman had consented to the appointment of the Committee. In so doing he had adopted a wise course, and one likely to redound to the advantage alike of the Army and of the public service. There were many men of the Army and Navy who were admirably qualified for employment in the Departments of the Service; though he feared that there would be great objection to admitting them into the Civil Service, however well qualified they might be. There were also many situations in the Army and Navy which might, with great advantage, be opened out for soldiers to fill. The duties of the Ordnance, and of the Commissariat might be carried on by employing soldiers in the rank of warrant officers. In India these openings had been given not only with advantage to the public service, but were beneficial to the soldier. It was owing to these great openings that recruiting for service in India was so successful. When other branches of the Army failed to obtain recruits, India could always procure men. There were many men in the Army and Navy peculiarly well fitted for the duties connected with Stores. The Navy could also supply from their existing grades of Warrant officers excellent men for the care and management of the Naval Stores. These and other duties he considered would require a large number of Warrant officers. He hoped that the Government would allow the Order of Reference to be as extensive as possible, and that the result might be that greater inducements would be held out to men to enter the Army and the Navy.

LORD ELCHO said, there was nothing truer than that one man reaped where another sowed. This question of the civil employment of soldiers had been first brought forward in Parliament by his hon. and gallant Friend the Member for Westminster (Sir Charles Russell.) Subsequently he (Lord Elcho) had done so at the request of a meeting upon the subject held at the United Service Institution over which Lord Derby had presided. Last year the gallant General the Member for Brighton took charge of the question; and now the hon. and gallant Member had come forward, with that gallantry and readiness to seize an opportunity which had gained him so much distinction in the Field, put in his sickle, and reaped the crop whch was now ripe. He was glad that his right hon. Friend had assented to the Motion, as it was likely to produce the settlement of a question that had been agitated in Parliament for many years. At the present moment there was an absolute necessity for something being done in order to supply a grave existing deficiency in the matter of recruiting. This year his right hon. Friend the Secretary of State for War had been compelled to ask the House to grant deferred pay and other inducements to men to enter the Army; and if inducement could be afforded in the form of prospective employment in the Civil Service, he thought it would offer a more economical and equally efficient means of supplying the want. His own idea was that young and not old soldiers should be employed in this particular way. This could be readily effected by allowing comparatively young men to leave the Army for the Civil Service on passing such examinations as might be framed for the purpose. The system of employing soldiers who had served their time in civil departments had prevailed extensively in France during the reign of the late Emperor, and in this country it might be adopted very largely with advantage. It might be advisable that only soldiers who had served their time should be employed in the Metropolitan Police, for which service they were eminently qualified, both by their habits of discipline and their moral qualities. With regard to the employment of soldiers by private persons, Sir Joseph Whitworth had calculated that the value of the services of disciplined men, trained to obedience and to combined action, were on the average worth 3*s*. a week more than those of ordinary persons. Under these circumstances, he thought that another year the question of the employment of soldiers by private persons might well be worth the attention of the Government. The advantage to employers would be very great, inasmuch as he had grounds for believing that the number of able-bodied men required for the service of the railways alone amounted to more than 200,000. He should be glad to see non-commissioned officers, and even officers, employed in the higher administrative departments, both civil and military; and in support of his view begged to refer to a paper he held in his hand, which had been very carefully drawn up, and by which it appeared that there was employment in the administrative departments of the Army alone for 140 officers and 1,080 non-commissioned officers, and that their employment would result in an annual saving to the country of £154,000. A similar course might, with equal advantage, be adopted with regard to the Navy. If the views of the hon. and gallant Baronet the Member for Sunderland were adopted, great inducements would be held out to the population to pass through the Army.

MR. J. HOLMS said, he was glad that the right hon. Gentleman had assented to the appointment of the Committee. He doubted if the country would like all the Departments to be filled by military men; but a great advantage would result to the men in their being able to get into private employment on the ground that they were of good character and were capable men. He hoped the Order of Reference would not be narrowed too much, and that the Committee might be able to inquire into the question of the employment of soldiers in the railway service. The manager of one of the largest railways in the country had recently informed him that he would be glad to have a number of the reserved men in the service of the company.

MR. STEPHEN CAVE, in reply to a suggestion that had been made in the course of this discussion, that there was a feeling of jealousy against the employment of soldiers in the public departments, stated that last year, when he held the office of Judge Advocate, the situation of messenger became vacant, and as there had been frequent expressions of opinion in the House and elsewhere in favour of appointing soldiers to such situations, he thought, as the department was to some extent a military department, that this was a good opportunity for trying the experiment. He had accordingly asked Captain Walter to recommend some military pensioner for the post, and the person sent to him by that gallant gentleman satisfied the requirements of the Civil Service Commissioners in every respect. He was a pensioned non-commissioned officer of the Artillery. It, however, unfortunately turned out that he was two or three months too old to be appointed, according to the existing regulations of the service. He (Mr. Cave) did not like to give up the point, as the applicant was active and energetic, and a younger man for his years than most of the old servants usually appointed to these places. So far from any jealousy against the employment of soldiers being entertained, the Civil Service Commissioners and the Treasury entirely shared his views on the subject, and after a short correspondence had passed, an alteration was made in the rules, and this gave men who had been in the military or naval service of the country an advantage of two or four years—he was not sure which—in point of age over civilians in relation to appointments. After that alteration was made the man was appointed. He (Mr. Cave) had made inquiry, and believed he gave great satisfaction. He might say that he had himself employed a pensioner from the Sappers to overlook a large village on his own estate in the country, who managed the organization of the village, and superintended the repairs of cottages and matters of that kind in the most efficient manner. He said this, as allusion had been made to private employment. But his object in rising was to show that so far from any obstruction being offered to soldiers obtaining employment in the Civil Service, a soldier had great advantage over a civilian in applying for such appointments.

SIR WILLIAM FRASER also expressed his satisfaction at the appointment of the Committee. He had no wish to detract from the merits of the police; but he had been given to understand that since the preservation of order in Kensington Gardens had been taken from old soldiers and placed in the hands of the police, great complaints were made by the inhabitants of Kensington and Bayswater of the Gardens being inundated by day and night with tramps and beggars, and of the scenes that took place there. It was highly desirable that the gates should be again placed in the custody of old soldiers, who, from knowing the faces of the people who frequented them, and with the aid of a rattan, were able to keep them clear of the company he had referred to. He considered the non-commissioned officers of the Army one of the most valuable classes of men in the country.

MR. P. A. TAYLOR said, it was highly undesirable that old soldiers with the aid of a rattan should be employed to keep the Parks clear of persons with whose faces they were familiar, but that it should be done consistently with good order and good behaviour.

SIR HENRY HAVELOCK was willing, in deference to the opinion of the right hon. Gentleman opposite, to withdraw the second part of his Motion; but he trusted that the Committee to be appointed would make inquiries from certain employers of labour with reference to this subject.

Motion, by leave, *withdrawn.*

Select Committee *appointed,* "to inquire how far it is practicable that Soldiers, Sailors, and Marines who have meritoriously served their Country should be employed in such Civil Departments of the public service as they may be found fitted for."—(*Sir Henry Havelock.*)

And, on May 15, Committee *nominated* as follows: — Viscount HINCHINGBROOK, Lord EUSTACE CECIL, General SHUTE, Mr. GERARD NOEL, Mr. JAMES CORRY, Lord ELCHO, Captain PRICE, Mr. JOHN TALBOT, Sir CHARLES RUSSELL, Sir HENRY HOLLAND, Mr. CHILDERS, Mr. CAMPBELL-BANNERMAN, Mr. ERRINGTON, Mr. HANBURY-TRACY, Colonel MURE, Mr. JOHN HOLMS, Sir GEORGE BALFOUR, Mr. LAING, and Sir HENRY HAVELOCK:—Power to send for persons, papers, and records; Five to be the quorum.

And, on May 16, Sir JOHN HAY, Major O'GORMAN *added.*

RIVER GAMBIA.—RESOLUTION.

MR. ALDERMAN M'ARTHUR rose to call the attention of the House to the present position of the British Possessions on the Gambia, with a view to place them on a permanently satisfactory footing, and also, in the interests of commerce, to open up communications by that great navigable river with the interior of Africa. His object in bringing this subject forward was to endeavour to elicit from Her Majesty's Government some declaration as to their policy with regard to the future of these settlements. He reminded the House that at an early period of last Session the noble Lord the Secretary of State for Foreign Affairs stated in "another place" that it was desirable to concede the Gambia to France, in exchange for some small settlements on the Gold Coast. The negotiations then going on had, he (Mr. Alderman M'Arthur) was glad to say, since fallen through, for what reasons it was not necessary for him now to inquire. Nor need he take up the time of the House in bringing forward arguments against the cession of the Gambia. He had only to express his regret that the noble Lord the Secretary for the Colonies, who had conducted the business of his Department with such marked ability and general satisfaction, should have sanctioned, even for a moment, a project that was unjust to the colony, directly in opposition to the traditions of his Party, and unpopular with the country at large. He trusted that no Government would again attempt to hand over to a foreign Power some 14,000 of Her Majesty's subjects without asking their consent, and that they would not surrender for imaginary advantages one of the noblest rivers on the western coast of Africa. It was due to those British subjects who had been engaged in trade on the Gambia that they should be kept no longer in suspense; but that Her Majesty's Government should give such an assurance with regard to the future as might inspire confidence, give security to property, and lead to the further development of the trade of the colony. The House would bear in mind that the settlements on the Gambia had existed in their present form for more than half a century, that a considerable number of Native merchants, traders, and shopkeepers had been brought up under English rule, and also, that of the 14,190 inhabitants a considerable proportion had been educated in the mission schools, speaking the English language, and claiming the privileges of British subjects. As to the Gambia, it must be evident to any one who studied the map of the country that it possessed advantages over almost every other place in Western Africa for bringing within the reach of British civilization and British influence a large and fertile country. The Gambia might fairly be classed with the Niger and the Senegal in giving direct and easy access into the interior. It possessed a magnificent harbour; it was navigable for nearly 400 miles; it was the great water highway to Northern Africa, and the direct route to Futu, Segou, Timbuctoo, and other large towns; and, what was of great importance, within 11 days' sail of Liverpool. For years past the intention had been avowed again and again of handing the Gambia over to France, although the proposal was contrary to the wish of the whole population. Such a declaration of policy was calculated to injure trade and retard its progress, and to a certain extent discourage all attempts at improvement. Strange to say, however, in the face of these obstacles, trade had neither been injured nor its progress retarded, for the exports and imports had increased, and, if fair play were given, would continue to increase. The ground nut trade formed one of the principal trades of the colony. In 1837, the total export was 87 tons; the annual average now was 15,000 tons. In 1874 it rose to 20,000 tons, which, taken at £11 per ton, gave a trade of £220,000 a-year in one product alone. The average value of imports since 1850 had been £120,000, and of exports £160,000. In 1869 there were employed in the Gambia trade 188 vessels, with an aggregate of 46,396 tons; and in 1870, 55,046 tons, or 171 vessels. The revenue in 1867 amounted to £22,000; in 1870, to £17,100. But how was this revenue appropriated? The House would be surprised to learn that £12,000 was spent on salaries and pensions alone; in fact, 75 per cent of the revenue raised in the colony was paid to servants of the Crown, in whose appointments the taxpayers had no voice whatever. Nor had these officials any interest in the colony beyond drawing their salaries and pensions. Had part of this money been spent in developing the trade of the interior, or in promoting sanitary improvements in the colony, a much better state of things would have been the result. Instead of that a miserable, cheese-paring policy was adopted at the time. Would it be believed by the House that when, a few years ago, a request was made to allow one of Her Majesty's gunboats to proceed up the river for three days, in order to show the Natives that the colony was under the protection of the British flag, such request was actually refused, unless the Settlements would undertake to pay for the coal consumed on the trip, while at the very same time no less a sum than £4,125 was being spent out of the local revenue for further enlarging and embellishing the Governor's house — already one of the first official residences on the coast? It should also be borne in mind that the colony at present did not cost the British Government one shilling. The troops had been withdrawn, and the Settlements left without any protective Force. Situated as these Settlements were in the vicinity of warlike and perhaps hostile tribes, such a proceeding on the part of the Government was, he contended wholly unjustifiable. The colonists were quite willing to pay for such a Force, if they were allowed requisite control over the management of their finances. One of Her Majesty's ships should also occasionally call at Bathurst, a station which, the colonists complained, a man-of-war had not visited for many years. He was aware that one of the arguments employed against the colony was its unhealthy condition; but it had been proved that it was not more unhealthy than other parts of the coast. Colonel Ord stated in his Report that for a sum of £7,000 a thousand acres of the swamp at Bathurst could be drained, and the locality made healthy. Governor M'Donell, in 1851, referred to a tract of land near Cape St. Mary, within eight miles of Bathurst, varying in its elevation above the sea from 50 feet to 90 feet, which enjoyed a more salubrious climate and a cooler average temperature throughout the year than most places in the West Indies. Governor O'Connor, in reference to that place, remarked—

> "The climate is good and salubrious, the country freee from swamps and clear of jungle, the soil fertile, and the cape, elevated some 70 feet above the level of the sea, lies open to the full fresh breezes of the Atlantic Ocean."

This place appeared to possess suitable conditions for a sanitarium. Considerable efforts had been made to promote education and to introduce Christian instruction among the Native population. For many years—as far back as 1821—the Wesleyan Missionary Society had occupied this post as most favourable for the introduction of Christianity among the tribes in the interior. One of the secretaries of that society, the Rev. W. B. Boyce, had stated, in a deputation to Lord Carnarvon, that the society had already expended about £100,000 on missions and schools. They had seven chapels and other places of worship, attended by congregations numbering upwards of 6,000 persons; they had seven day schools in active operation; religious instruction was given in the English language, while a number of Native agents preached in the African tongue; a grammar of the Mandingo language had been published; and the new Testament had been translated into the same language. A high-class school had lately been established, and 15 of the most promising youths were receiving an education which would fit them for any post of usefulness that might be open to them. Numerous applications for admission had been refused, as at present there was not accommodation for a larger number. For more than 250 years the British flag had been associated with some kind of political or commercial influence on the Gambia; but what use had we made of our influence to promote civilization in that region of Africa? The enterprize of a few merchants had created trade, and the zeal of our missionaries had converted a few thousand Natives to Christianity; but as a Government we had done almost nothing. If protection were given to our merchants, the commerce of the river, there was every reason to believe, would increase out of all proportion to the cost of such protection. The French were wise in their day and generation; they wanted the Gambia, because they knew that in their hands it would become valuable. He was anxious that we should adopt the same policy; and, therefore, he hoped that Her Majesty's Government would not look coldly upon projects for the extension of our trade, but would rather regard the trader as an ally in the great work of civilizing Africa. He spoke with the utmost confidence on this subject, because he did not hesitate to say that the influence of our legitimate commerce on the Gambia had been very beneficial. Our territory was a small one, but it was all under cultivation. We had redeemed a population there from savagery; we had won over thousands of Africans to habits of peaceful industry; we had repressed the slave trade, and had exercised a salutary influence over many of the warlike tribes adjoining the Settlements. Therefore, he confidently appealed to the House whether, now that we had decided to retain the Gambia, it was not our duty to open up that great river to legitimate commerce. In order to accomplish this, an exploration of the river, as well as of the upper waters of the Niger should be made; for only a few days' march separated these two great natural highways into the interior of Africa, and if the whole country which could thus be brought into direct relations with the Gambia were opened up, we might obtain by that means hundreds of thousands of new customers. It was of great importance to secure the trade of the Upper Niger, for this would assuredly fall into the hands of the first comer. There was a direct caravan route from Segou to Salagha, north of Coomassie, which had lately been visited by Dr. Gouldsworthy, who had just arrived in Liverpool, and had, it was stated, made arrangements for opening trade with Salagha. Arábic was largely understood in the Niger country, and therefore that language at once afforded a medium for intercourse with the Natives. It was also of great importance during the trade season that an armed steamer should be on the river, especially in that part of it above M'Carthy's Island. Since the withdrawal of the troops in 1870 the trade of the upper part of the river had diminished, and much of what used to find its way down the Gambia now went to the Senegal, particularly the trade in ivory, gold dust, hides, and bees' wax. In regard to opening up our relations with the interior, it had been suggested, instead of employing Englishmen or British Native subjects as Consuls in the principal towns of the interior, that the chief or head man in each of the principal towns on the road between the Gambia and the Niger should be nominated as British Agent, with a small annual subsidy of from £10 to £15, according to the importance of the town, and at Segou from £20 to £25. These Agents should be furnished with an English Union Jack and with some insignia of office, and in return they should be expected to facilitate trade and the passage of travellers through their towns and territories, providing lodging and carriage, and also messengers for the transit of letters. At Bathurst there should be an officer, who might be styled Inspector of Native Agencies, who should act as the medium of all communications between the Chiefs and the Colonial Government. By thus enlisting Natives themselves on our side in the interests of trade and order, we should be conferring both moral and material benefits, without arousing any of the jealousies engendered by the appointment of White men as Consuls; and in the course of time the Native races would be more ready and willing to pass under our direct influence. Doubtless some difficulties would arise in carrying out this scheme at first; but none which ready resource and intelligence could not meet. The plan thus sketched was one which France—he had good authority for making the statement—had intended to adopt, in order to open up the trade of the interior. The Rev. Mr. Adcock, who had lately arrived from the Gambia, a short time before leaving sailed up the river as far as Yarbutenda, on the direct route to Timbuctoo, and near where Mungo Park started for the interior. In a letter addressed to the Wesleyan Missionary Society, Mr. Adcock remarked—

> "This is the largest trading emporium in the river, and also the most distant, being about 480 miles from the Atlantic. The river here is about 200 yards wide, and for some distance above and below is of an average depth of four fathoms, thus allowing vessels drawing 10 feet of water to visit it with safety."

Mr. Adcock further said—

> "The Gambia is, indeed, a wonderful river, and would become a mine of incalculable wealth if its ample resources were fully developed. Wax, gold, ivory, and hides are as plentiful as as ever they were when they ranked among the staple exports of the country. The castor-oil plant grows in forests almost without cultivation, while I have several times seen indigo pulled up in the streets of M'Carthy's Island as a common weed. Should the French succeed in effecting the change they seek they will soon make it their richest colony, and we shall wake up too late to mourn our loss. The French offer us Grand Bassam and Assinnee—places where they hoist no flag and pay no official. As for the other two places—Benti, in the Mellacourie, and Sejour, on the Cazamance River—I have visited both, and the two together are not worth our mission ground and property at St. Mary's. But, apart from all these considerations, we have no right to give up the Gambia. We colonized it as a matter of pure philanthropy, in order to put down the Slave Trade. Thousands of human beings were rescued. We have no right to hand them over to a people whose government and religion are alike distasteful to them."

Every word of that statement the hon. Member endorsed, and he heartily rejoiced that the project had been abandoned. In conclusion, the hon. Member laid stress on the thoroughly practical character of the object he had in view. The British nation was always eager to recognize and to admire the self-sacrificing labours of men like Livingstone and Speke, Burton, and Cameron; but it was to be remembered that these explorers had toiled for the future rather than for the present, and, so far as he could judge, generations might elapse before British enterprize could hope to spread over the territories they had discovered. But in the Gambia we possessed one of the greatest rivers in Africa, and with its aid we could gain ready access to the interior of the country. We owed a heavy debt to the African Continent, which it would not be easy for us to wipe off; but that debt could best be discharged by the course of policy which he recommended. If the Government were thus to protect and extend the commerce of the Gambia, they would by that policy, assist Great Britain to maintain her industrial supremacy, and at the same time further the great cause of peace, civilization, and Christianity. The hon. Member concluded by moving his Resolution.

Sir WILLIAM EDMONSTONE, in seconding the Motion, said, that he had been up the Gambia several years ago in command of one of Her Majesty's frigates; and at that time was in favour of an exchange of territory with France. That opinion, which was based chiefly upon military considerations he had since had reason to alter. The Settlement had a low situation, and at the time he was there some dreadful outbreaks of cholera took place. The harbour was certainly a very good one. When he was there the Governor asked him to recommend that larger guns should be put in the fort, so as to increase its importance; but he declined to make such recommendation, because, if it had been acted upon, we should have had the French down upon us at once; and he believed it was because we had done nothing of the kind that we had been left in peace and quietness. Whatever drainage might do, it could not get rid of the fact that the place was so low. A peculiar feature of the trade was that it was carried on in English bottoms at a French port, and almost all the produce of the place went to Marseilles and very little to Liverpool. The fact that he had taken a 35-gun frigate up the Gambia showed that it was a magnificent river; and, as we had it, we ought to maintain it, and to do everything in our power to improve the condition of the Settlement. He was sure that in time to come it would be a prosperous colony, and a very advantageous one to this country.

Motion made, and Question proposed,

"That it is expedient that the British possessions on the Gambia be placed on a satisfactory footing, and that, in the interests of commerce, communication be opened up by that river with the interior of Africa." — (*Mr. Alderman M'Arthur.*)

MR. J. LOWTHER said, he would not follow the hon. Member (Mr. M'Arthur) through the negotiations which were in progress for some years between the English and the French Governments, with regard to the exchange of possessions on the West Coast of Africa, and which the House was aware had been definitively abandoned. The hon. Member was not quite accurate in identifying the present Government with those negotiations, for they were in progress, under successive Governments, for several years. For himself, he did not disguise his opinion that an exchange would have been advantageous; but it was not found possible to make the arrangements that were contemplated, and the project had now been abandoned. The hon. Gentleman's history of the Settlement on the Gambia was, in many respects, quite accurate; but he had been betrayed on some points into a little over colouring, especially when he spoke of the Settlement as a healthy one, although it might be so as compared with some other settlements. Statistics showed that, from time to time, epidemics had swept over the colony, including yellow fever and cholera, so much so that during eight years from 1859 to 1866, the number of deaths had exceeded that of births by upwards of 1,200. The Administrator stated that the rains were fatal to Europeans, and cold weather was fatal to the Africans. That was hardly a satisfactory state of affairs. The hon. Member alleged that the sanitary state of the town was owing to the want of proper precautions on the part of the authorities. That led him (Mr. Lowther) to the state of the revenue. The hon. Gentleman said, that three-fourths of the gross revenues of the colony were spent in salaries and remuneration to the various public officers. In all our colonies of this description, however, the principal item of expenditure must be the payment of the public servants. It was impossible to carry on the Government without proper officers; but in the Gambia Settlements the salaries were by no means high, and some re-adjustment of the present system would be necessary. The hon. Member said that a cheese-paring system had been in vogue for the last five or six years. He would not deny it. For many years past a cheese-paring system had prevailed in cutting down the necessary expenses without which it was impossible to carry on the Government of these Settlements. He trusted that the hon. Member and his Friends would assist the present Government in putting an end to this system. With regard to the scheme for draining a large swamp in the neighbourhood of Bathurst, at a cost of £4,500, the reason why it was not carried out was because in the interests of trade the presence of a vessel of war was necessary, and the expenditure of draining the swamp was diverted to another purpose. How did the hon. Member propose to supplement the revenue, which had for several years been considerably below the expenditure? In 1873 the revenue of the Settlement was £19,000, while the expenditure was over £24,000, leaving a deficit of £4,700. In 1874 there was a deficit of £3,000. In other years there had been a surplus, but it had been exhausted by these deficits. He was afraid that the only remedy was a grant from the Imperial Exchequer, which the Government would not willingly recommend if any other resource could be devised. It would be the duty of the Government to consider the question, and, if no other remedy could be found, to recommend Parliament to make a grant to the colony. The duties upon the goods imported into the colony had been considerably augmented of late years, and no further income, as it seemed, could be derived from that source. The hon. Member said that trade on the Gambia had not been sufficiently studied by the Home Government; but he did not indicate any specific measure by which it could be improved. It was at first sight not a little remarkable that the enterprize of the trading community had made so few attempts during the last 250 years to open up the trade with Timbuctoo and the interior. The reason was that the state of the district had not been such as to encourage the most hardy and enterprizing merchants to penetrate into the interior. The river was navigable for 500 miles, but it ran through a mountainous, swampy, and unhealthy district. The Native tribes were usually at war with each other, and in order to open up a trade with the interior a temporary footing must first be obtained by means of an armed force. The hon. Member might rest assured that the whole subject of the colony was under the consideration of the Government. As it was now determined to retain the colony, it would be the duty of Her Majesty's Government to consider whether its resources could not be materially improved, and, if it were necessary to ask for a grant for that purpose from the Imperial Parliament, he trusted that the hon. Member would render them all the assistance in his power. In the meanwhile, the interests of the colony would receive all the attention which the Government could bestow upon the subject.

Mr. Alderman W. M'ARTHUR, in reply, said, that the colony would very much improve if the cession to France were, as the House had been told, definitely abandoned. In future it would, he hoped, be allowed to develop its resources, and in that case it would not fail to become a prosperous colony.

Motion, by leave, *withdrawn.*

Mr. J. Lowther

LAW AND JUSTICE—CASE OF MR. WILBERFORCE.—RESOLUTION.

Mr. P. A. TAYLOR, in rising to call attention to two trials in the Westminster County Court on the 27th day of January last, before a jury, when verdicts for £15 5*s.* damages for two assaults upon boys were given against a Justice of the Peace for the county of Sussex; and to move—

> "That, in the opinion of this House, it is not desirable that Reginald Garton Wilberforce, esquire, should continue on the Bench of Magistrates,"

said, that the case lay in a nutshell. The facts were not practically in dispute, and the question was whether Mr. Wilberforce had or had not shown an utter want of that tact, good sense, discretion, and sense of justice, tempered with mercy, which should distinguish a Judge. It was true that Mr. Wilberforce belonged to the unpaid magistracy; but the qualities which were necessary in a Judge were equally indispensable in our magistrates. Having to deal with the Game Laws, in which they had a personal interest, and in which they united the characters of prosecutors, judges, and executioners in their own persons it was desirable that their conduct should be above suspicion. Appeals had been made to him by several hon. Members not to pursue this matter further, partly because of the great name which Mr. Wilberforce bore and partly because he had suffered severely owing to this matter. All this would have weighed with him except for a consideration of the sole issue which was involved in the matter now —namely, whether Mr. Wilberforce was fit to occupy the position and exercise the functions of a Judge. Though he were descended from a thousand philanthropists, if his personal qualities disabled him from filling that position, he ought not to be allowed to remain there. He had to state that the working classes and the agricultural labourers of the country owed a debt of gratitude to the Lord Chancellor for his conduct in this case. The noble and learned Lord had made it known from the highest legal position in the country that the humblest peasant in the land was not to be ill-treated without calling forth a stern rebuke and reprobation from the Lord Chancellor of England. He ventured to think that if the noble and learned Lord had regarded the case from another point of view—namely, the fitness of Mr. Wilberforce to be a Judge—he would have added to his condemnation the removal of that gentleman from the Bench. The Lord Chancellor, however, had not all the facts before him. He (Mr. Taylor) had taken great pains to ascertain the entire facts, not only from the depositions, but from the personal inquiries of a gentleman in whose honour and discretion he could rely, and who had seen the lads and their father and mother, and taken down their statements. The story was simply this. Mr. Wilberforce's gamekeeper found the two lads, who were 17 and 14 years of age, digging out a rabbit's nest in a hedge. Meeting the father, Mr. Wilberforce said the case was too frivolous to send to a Court, and he suggested that the lads should be sent up to him next morning to have a good talking to and perhaps a stroke or two. The boys went up next morning, when Mr. Wilberforce took them into a stable and beat them with terrible severity, until, in fact, they were covered with blood. He was, in fact, judge, jury, and executioner, and administered a punishment of his own volition, which, as a magistrate, he could not have ordered. This case had given rise to a song—

> "Let me flog him for his father"—

dedicated to Mr. Wilberforce, J.P., by the author of

> "Let me kiss him for his mother."

Mr. Wilberforce, in his statement, said that the father of the lads asked him to punish them, placing him thereby *in loco parentis.* That was certainly improbable, and, for his part, he did not believe it to be true; for the father said that the state of the boys made his blood run cold, and that if he had any one to help him he would go to law for redress. The Agricultural Labourers' Union did take the matter up, and Mr. Wilberforce was tried before a London jury, who, to their honour, fined him £15 for the offence. The right hon. Gentleman the Home Secretary had read to the House a statement of the case which he received from the County Court Judge and forwarded to the Lord Chancellor. He would not challenge that statement, but would content himself with saying that it took every assertion of the defendant as proved truth, and appeared to disregard the evidence to the contrary effect, given on the part of the prosecution. The Judge seemed, too, to doubt the severity of the punishment inflicted on the boys. This was remarkable in view of the fact, as proved, that scarcely any of the skin on the lower part of each boy's back remained unbroken, and that the marks of the punishment were visible fully two months after the floggings were inflicted. Two widely dissimilar views might be taken of the case. On the one hand, it might be held by game-preserving squires that the boys were rightly served; on the other, the transaction was regarded as affording a grave and serious illustration of the way in which justice might be, and occasionally was, administered by the justices in this country upon poor and defenceless peasants. It would not be encouraging to fugitive slaves to take refuge under our flag when they learned that boys could be beaten in this country in that way for hunting a rabbit. He did not believe that in any other civilized country in the world could such an outrage be committed in the name of justice. Nor did he believe that in England it would be possible to commit an outrage of the kind upon any other than a member of the peasant class, which had no representation in the body which made and controlled the administration of the country's laws. How many men in that House had high-spirited lads who would not think much of hunting a rabbit, or robbing an orchard, or even stealing a bird's nest; but he would not give much for the skin of a magistrate who dared to treat one of their boys as these lads had been treated. The other day a schoolmaster was sentenced to five years' penal servitude for beating a boy. It was quite true that one of the blows hit the boy in the eye and deprived him of sight, but the schoolmaster was to a certain extent in his right, whereas Mr. Wilberforce was altogether out of his right. When the case came to the knowledge of the country it created a very unpleasant feeling—a feeling intensified by the fact that it was only discovered by mere accident a month after the events had occurred. The feeling, so intensified, was increased by the speech made by the right hon. Gentleman the Home

Secretary when the matter was brought before the House. The right hon. Gentleman had no word of reprobation for the conduct of Mr. Wilberforce, who, in his opinion, had only committed an error of judgment. It was with surprise that the country heard such terms applied to a flogging which had caused the blood of two peasant boys to flow down their backs. In addition to using the words to which he had referred, the right hon. Gentleman took upon himself the functions of an advocate, when he said he was empowered to express the regret of Mr. Wilberforce at what had occurred — expressions of regret which were altogether absent from the subsequent correspondence in which Mr. Wilberforce took part. It was clear that the right hon. Gentleman held one of two opinions. He either thought the course taken by Mr. Wilberforce was the ordinary and habitual act of a county magistrate, or he thought the unpaid magistracy of the country had a sort of vested interest in the seats on the Bench, from which they could only be removed in cases of gross and flagrant illegality. The right hon. Gentleman had two voices—one an official and the other a private voice. In his official capacity, he defended every act of injustice committed by magistrates and brought before Parliament; in his private capacity he would be the last man to commit the acts which he defended. The right hon. Gentleman said that this act of Mr. Wilberforce was not done in his official capacity, but the Lord Chancellor held a different view. These lads were not of age, and they were not able at the bidding of Mr. Wilberforce to contract themselves out of the law. He had never uttered such a slander as to say that this was an average instance of the way in which justice was administered by unpaid magistrates, though his own opinion was in favour of a stipendiary magistracy. The Lord Chancellor condemned the conduct of Mr. Wilberforce and conveyed a grave censure, and it was a great pity that the friends of Mr. Wilberforce did not advise him to retire from the Bench, for it was clear that in future his judgments could not be regarded as either impartial or just. Had Mr. Wilberforce's conduct down to the time of this occurrence been perfectly pure and impartial, it was necessary for the due administration of justice that the so-called justice he meted out should be believed in by the community which had to submit to it. The Lord Chancellor in giving his reasons for not removing Mr. Wilberforce from the Bench stated that the injured lads had received substantial compensation for the pain they had suffered. That fact, however it might be an atonement for the past, could not in any way affect Mr. Wilberforce's fitness to be a Judge. The Lord Chancellor had also referred to the deep regret that Mr. Wilberforce had expressed for the course he had taken; but he was in a position to show that this gentleman, after having in cold blood severely and brutally flogged these poor lads, had persecuted both them and their father by using his great influence in the district to prevent them from obtaining work, and thus to drive them from the neighbourhood. He would read, in corroboration of his statement, a letter from the Secretary of the Executive Committee of the National Agricultural Labourers' Union, and he would, in conclusion, warn the House against their allowing it to be supposed that not only was there, in some cases avoidably and in others, unavoidably, one law for the rich and another for the poor, but that even where such inequality in the law was avoidable, it was right in their opinion that it should exist. Had this outrage been committed upon any squire's or tradesman's son, or upon the son of any man who possessed a vote, the perpetrator of it would not have been allowed to remain upon the Bench for a single month. Under these circumstances he appealed to the House and to the country Gentlemen to show by their vote that they repudiated such conduct as that of Mr. Wilberforce as altogether exceptional, and as not being in accordance with the standard of justice which was recognized throughout the country. The hon. Member concluded by moving his Resolution.

Mr. BIGGAR seconded the Motion.

Motion made, and Question proposed,

> "That, in the opinion of this House, it is not desirable that Reginald Garton Wilberforce, esquire, should continue on the Bench of Magistrates."—(*Mr. P. A. Taylor.*)

Sir WALTER BARTTELOT said, he deeply regretted that it should be necessary for him to state in that House again the facts of a case which had been already deliberately decided by the highest judicial authority in the land, and that the hon. Member opposite had thought it his duty to make to the House a statement which must necessarily be an *ex parte* one. When the hon. Member first rose, he stated that he was merely going calmly and dispassionately to lay the facts of the case before the House; but he would appeal to hon. Members on both sides of the House to say whether the hon. Member had not imported into his statement the feeling and animosity which he invariably exhibited against certain classes in this country? Had the hon. Member taken the trouble to go impartially into the real facts of this case, he would have found ample reason for not again bringing it under the consideration of the House; but he could not resist the temptation of bringing forward a charge against a magistrate. It was against such persons alone that the indignation of the hon. Member was ever raised, because however aggravated and however brutal might be the assault, if it were committed by those who occupied a lower position in life no notice of it was ever taken by the hon. Member. He must at once take exception—and in this he should be supported by the right hon. Gentleman the Home Secretary—to the statement of the hon. Member that had this case been brought before the magistrates of the district, justice would not have been done with regard to it. [Mr. P. A. TAYLOR denied that he had made the statement the hon. and gallant Baronet attributed to him.] He (Sir Walter Barttelot) having carefully taken down the hon. Member's words, was exceedingly glad to hear that he retracted them. If there was one thing that the House of Commons liked and that Englishmen liked, it was fair play, and he would appeal to the House whether the hon. Member had allowed Mr. Wilberforce fair play; and if there was another thing which the House and that Englishmen disliked it was to see a man kicked when he was down, and he would again appeal to the House whether the hon. Member had not kicked Mr. Wilberforce over and over again, although he had been absolutely unable to prove anything against him. The hon. Member had contented himself with reading extracts from reports of the trial; but he (Sir Walter Barttelot) should be able to show the House beyond dispute that no cruelty whatever had been used by Mr. Wilberforce towards these boys. All that he had done was to administer to the lads a flogging such as Eton boys received; and, in fact, a sensational case had been got up out of the flimsiest materials. The full particulars of the case were these. On the 1st of March, 1875, these boys committed the offence in question, and their father, being sent for, was requested by Mr. Wilberforce to punish them. He replied that he could not flog them himself in consequence of his hand being injured, and he requested Mr. Wilberforce to punish them for him. Mr. Wilberforce, who throughout was actuated by a kindly feeling, and who did not wish to send the boys before a bench of magistrates — not that on which he himself sat, as had been stated—at first declined to punish the boys, but at the father's request he at length undertook to do so. The boys came up the next day and received an ordinary flogging. To show how little they suffered from the punishment they had received, he might state that on the very afternoon that they were flogged they walked up the South Down, a very steep hill, and picked up wood all the afternoon; that the next day they did the same thing, and that the third day they walked to Petworth, a distance of 11 miles, there and back, which they could not possibly have done had they been treated with the brutality alleged by the hon. Member. The chief evidence that the hon. Member adduced as to the condition of the boys was the statement of the father, a man named Ayling, whom he unhesitatingly asserted to be a man of bad character. Against the statement of Ayling, the father, and the boys, must be placed that of the aunt, who declared that she had seen the lads shortly after their punishment, and that their backs were only a little red. A great number of other people also saw the boys and gave similar testimony as to the slightness of the punishment. If these boys had been treated so brutally as was alleged, were there not people enough who would have said—"This is a most brutal case; let us get a summons against Mr. Wilberforce?" Nothing, however, was done until June or July, when Messrs. Shaen, Roscoe, and Massey, the solicitors to the Agricultural Labourers' Association, sent a letter to Mr. Wilberforce, saying—

> "We are instructed to inquire whether you are prepared to express regret at your conduct on that occasion, and to pay some reasonable compensation to the boys for the injuries injuries inflicted on them,"

and adding that in default an action would be commenced against him. Mr. Wilberforce having taken no notice of that letter, nothing more was heard of the matter until, in January last, an action was brought against him in the Westminster County Court. The hon. Member for Leicester had no right to abuse the learned Judge who tried the case, for he had all the facts before him, and was in a much better position to judge of them than was the hon. Member. The latter part of the learned Judge's letter was not open to the censure he had passed upon it. If Mr. Wilberforce had allowed any one to defend him but himself he certainly would have got off. Mr. Wilberforce was fined £10 for the assault on the elder boy, and £5 for the assault on the younger. But why only £5 in the latter case? Mr. Wilberforce moved for a new trial; the new trial was granted, but they compromised matters when the case of the second boy came on, on condition that no criminal proceedings should be taken against any of the witnesses. What did that show? That their testimony could not be credited. More than that, the world outside would judge that Mr. Wilberforce, when the case was tried at Westminster, had not committed the gross and evident assault described by the hon. Member for Leicester. What happened after this? The hon. Gentleman asked a Question in that House. They all knew what asking a Question in that House meant. The hon. Gentleman might, perhaps, have one of those iron hearts that felt nothing—he put the Question, and the right hon. Gentleman the Home Secretary answered it. He did more. He referred the whole case to the Lord Chancellor; and the Lord Chancellor had written a letter on the subject, for which the hon. Member said he would be for ever grateful. If he was grateful for that letter, why did he bring this case forward now? If the Lord Chancellor, having given his eminently legal mind to the subject, had written a letter upon it, the hon. Member might rest assured no opinion of his would be worth anything as against that of the noble and learned Lord. It amounted almost to persecution that a man, after having been arraigned in this way, should have the present Notice kept upon the Paper by being put off from time to time, instead of having been brought forward as early as possible. Did he think that nobody had any feeling but himself?

Mr. P. A. TAYLOR explained that he had never postponed the matter, except from inability to bring it on on account of the state of Business.

Sir WALTER BARTTELOT: The hon. Gentleman had not brought it on, because he feared that he should not get a long hearing late at night; but, still, such a Notice should not have been kept upon the Paper one hour longer than was necessary. He would go one step further. The hon. Member said Mr. Wilberforce was not worthy to sit on the Bench when he could act in this way as a Judge. But Mr. Wilberforce was not acting in a judicial capacity. He asked the father of the boys to punish them; he never proposed to send them to gaol —he did not say—"Will you go to gaol or shall I flog you?" He said nothing of that kind. He asked the father to flog them, and the father gave his consent to his flogging them. He was in no way acting as a Judge in the matter. He now came to another point. The hon. Member for Leicester said Mr. Wilberforce gave the man immediate notice to leave his house. What were the facts? The house in which Ayling lived was for sale in June. No doubt the agent the hon. Member sent down had seen the house—it was a wretched place. Mr. Wilberforce, having bought it, was naturally anxious to put it in repair, and he gave the man notice. No action was then pending. The clergyman of the parish called on Mr. Wilberforce and said the grandmother of these boys was bedridden and would not hear of being sent to the Union workhouse; whereupon the notice was withdrawn, with permission for the old woman to remain there as long as she lived. She died in December. Notice was not given till March. But the family never paid rent, and they absolutely refused to go out, being backed by the Agricultural Labourers' Union. The man never worked for Mr. Wilberforce, but both Mr. Wilberforce and the late Bishop had allowed him to go into their covers and cut brier stems, which he sold to gardeners in the neighbourhood. That was what the hon. Member called persecuting this man. Mr. Wilberforce never said one word to prevent him getting employment. A deputation from the Labourers' Union went to Petworth and tried to vilify the memory of the late lamented Bishop Wilberforce. They also visited Graffham, but that visit ended in nine times nine cheers for the squire. He did not say that Mr. Wilberforce was not to blame in the first instance. He committed a great error—he might say a grave error of judgment — but it had been more than punished by what he had since undergone; and, looking to the character of that Assembly he could not doubt, whatever their politics might be, they would fairly, dispassionately, and honourably acquit a man when they believed him to be innocent.

MR. FAWCETT said, that the issue now before the House was a very simple one—namely, whether Mr. Wilberforce after what had appeared in relation to this case, should be permitted to retain his seat on the Bench. Every hon. Member who had read the Papers relating to the case would be at no loss to understand the warmth displayed by the hon. Member for Leicester (Mr. P. A. Taylor). He thought the hon. and gallant Member for West Sussex (Sir Walter Barttelot) would to-morrow be sorry for having brought so serious a charge as he had done against Ayling—he said he was a man of bad character. This, too, was said of an absent man, who could not defend himself. He would not follow such an example. The hon. and gallant Member for West Sussex said that a great deal had been made out of a little; but the hon. and gallant Member could not do away with the fact that the Lord Chancellor, in the exercise of his functions, had passed on Mr. Wilberforce one of the gravest censures he could pass on a magistrate without removing him from the Bench. The hon. and gallant Member for West Sussex had doubted this piece of evidence, and doubted that, and had tried to make out that the boys had not been so seriously punished after all. But all that was re-trying the case after it had been adjudicated upon by the Lord Chancellor, or it was contending that the Home Secretary had not accurately furnished him with the facts on which the Motion was founded. He should confine himself to the Lord Chancellor's letter to Mr. Wilberforce, Mr. Wilberforce's reply to his Lordship, and his Lordship's reply to Mr. Wilberforce's letter; and he said that from those documents a very strong case could be made out in support of the Motion of the hon. Member for Leicester. The Home Secretary, as a part of his duty in the matter, laid the whole statement of the facts before the Lord Chancellor; at least, they must assume that he did so, and it was not alleged that he had failed in that duty. The result of the Lord Chancellor's deliberations on the case was such that it was really useless for the hon. and gallant Member for West Sussex to endeavour to excuse Mr. Wilberforce's conduct. The Lord Chancellor said he had read the case with great surprise and with great regret, and he said to Mr. Wilberforce—

> "You had the right, if you thought the case deserving such serious treatment, of sending the boys before the Bench of Magistrates, but you had no right to use the threat of sending them before the Bench as the means of inducing them to submit to personal chastisement, and it was, above all, unseemly that you, the complainant against them, should hold yourself out to the neighbourhood as combining the position of complainant with the influence of a member of the County Bench of Magistrates, and with the office of inflicting punishment which was to be the alternative of a sentence of the Court.
>
> "The Lord Chancellor is willing to believe that you were misled into thinking that the father had the right to delegate to you the power of administering a chastisement which he might himself have properly inflicted; and he observes that you have, through the Home Secretary, expressed your deep regret for what has occurred, and that a substantial compensation has been made in the action already referred to.
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> "These considerations induce the Lord Chancellor to think, after much hesitation, that he will be justified in not removing, in the present instance, your name from the Commission of the Peace, but he feels it his duty to record, and to communicate to you, his grave censure of what has taken place."

That was the decision of the Lord Chancellor, and if he found that Mr. Wilberforce had admitted his error and expressed regret for it he should not be speaking now. But he did not find one word of regret from beginning to end of the correspondence. So far from that, Mr. Wilberforce entered into a defence of his conduct; and on the 3rd of March the Lord Chancellor again wrote him, stating that he had read his letter, in which he defended his conduct, and that, having done so, he saw no reason for altering the decision to which he had already come. He (Mr. Fawcett) said then that the regret which the Lord Chancellor supposed he had expressed, and which was the reason of his not removing him from the Bench, not having been expressed by Mr. Wilberforce, and there being no admission whatever of an error of judgment on his part, they had no alternative but to declare that he ought not to be allowed to remain upon the Bench. For those reasons he should support the Motion of the hon. Member for Leicester.

Sir GEORGE BOWYER said, he very much regretted the manner in which the hon. Member for Leicester had brought the Motion forward, as he had mixed up with the question really at issue matters very much calculated to set one class against another, whereas, if he had confined himself to the simple facts of the case, leaving the House to draw its own conclusions from them, it was very possible he might have found a majority to support his views. The outcry against the unpaid magistracy was, he thought, a circumstance very much to be regretted, because their decisions would in general contrast not unfavourably with those of stipendiaries, and to appoint stipendiaries everywhere would throw a considerable charge on the public revenue. Having heard both sides of the case, he was bound to say he thought Mr. Wilberforce had acted in a very unseemly and injudicious manner, and he was under the strong impression that a person who could be guilty of such injudicious conduct was not fit to remain in the Commission of the Peace. No doubt, when flogging the boys he was not acting as a magistrate; but because he was a magistrate he should have been more careful how he acted. Even if the father had asked him to chastise his sons, he should have said that it was no business of his to flog the boys. He felt, under these circumstances, that Mr. Wilberforce ought not to remain on the Bench; and it was, therefore, his duty, however reluctantly, to give his vote in favour of the Motion of the hon. Member for Leicester.

Mr. ASSHETON CROSS said, he had no fault to find with the temperate speech of the hon. Member for Hackney (Mr. Fawcett), and he wished he could say the same of the speech of the hon. Member for Leicester (Mr. P. A. Taylor). He was not there to defend Mr. Wilberforce's conduct. He never had done so, and he did not mean to do so then; but, with regard to the general body of magistrates, he did not believe that there were a set of men who discharged their duties so well or more honestly than they did, with a sincere desire to do justice; and he did not believe—and he hoped he never should believe—that by defending the general body of the magistrates, he was attempting to screen an individual in any particular case. He would appeal to the House whether he had not on more than one occasion since he had been in office expressed his strong displeasure at certain acts done by magistrates in individual cases when brought under his notice, nor would he ever hesitate to do so. He first heard of this case a few days before a Question was put upon the Paper; but it appeared that it had been known much longer to the Agricultural Labourers' Union, who ought to have communicated the facts and made their complaint to the Secretary of State immediately they were in a position to do so. If they had been in earnest and believed they had truth and justice on their side they would have made the complaint immediately the facts came to their knowledge. He had heard that night for the first time of the attorney's letter read by the hon. and gallant Baronet the Member for West Sussex (Sir Walter Barttelot). When the Notice of the Question in February last was placed upon the Paper he had to consider to whom it was best to apply for information, and he applied to the Judge of the Westminster County Court as the most independent witness for that purpose. That learned Judge was a very learned, right-minded, and straightforward person, notwithstanding the language that had been used towards him by the hon. Member for Leicester for the letter he had written, and he must say that he could not conceive any motive that learned gentleman could have for in any way misstating the facts. He also wrote to Mr. Wilberforce enclosing him a copy of the Question, his answer to which had been placed upon the Table. It was true that that letter did not in terms express any regret; but when the Question was put to him (Mr. Cross), he stated publicly that he was authorized by Mr. Wilberforce to express his deep regret for what had taken place. That gentleman called upon him about half-an-hour before the meeting of the House, and after hearing his statement he (Mr. Cross) gave him his views on the matter in a way that he was not likely to forget for some time to come, and it was then that Mr. Wilberforce expressed his regret, and gave him authority to state them to the House. The letter was immediately forwarded to the Lord Chancellor, and everything that he (Mr. Cross) knew about the matter; and he would remind the House that Mr. Wilberforce had received in the first instance a severe rebuke from the Secretary of State and also a letter from the Lord Chancellor, which he ventured to say no gentleman in that House would like to receive. He could hardly understand a letter stronger short of dismissal than that written to him by the Lord Chancellor. Neither of them for a moment thought of defending Mr. Wilberforce's conduct in any shape or form; but they considered after that rebuke it was not absolutely necessary to go to the extreme length of removing him from the Commission of the Peace. He very much regretted the letter that was written by Mr. Wilberforce to the Lord Chancellor; but in it, although he did not express his regret for what had happened, he stated—"I have written this letter not to defend what I admit to be an error of judgment." Inquiries had been instituted as to whether any charge had been brought against him before or since; the result was that there had been no other charge against him. Therefore he did not think it necessary to trouble the Lord Chancellor further in the matter. Under the circumstances he hoped the House would be of opinion that the Lord Chancellor, acting in his judicial capacity, had exercised a wise and sound discretion in giving to Mr. Wilberforce a severe and well-deserved rebuke, and that having done so he was not bound to go further. He hoped the House would reject the Motion, and that this inquiry and discussion would act as a warning, not only to Mr. Wilberforce, but to every other magistrate.

MR. GREENE said, he would not imitate the language of the hon. Member for Leicester (Mr. P. A. Taylor) in what he had to say on this Motion. This was not only a grave charge against Mr. Wilberforce, but, if the Motion was carried, it would be a Vote of Censure on the Lord Chancellor, who had twice considered the subject, and if he had erred he had erred in too severely censuring Mr. Wilberforce, who had acted very unwisely in what he had done. It was a very common practice for parents to allow their children, when brought before magistrates charged with an offence, to be flogged rather than that they should be sent to prison. He was surprised that the hon. Member for Leicester, who appeared to be an eminent member of the Society for the Protection of Human Beings from Cruelty, should continue to torture a man who had received the severest reprimand which a gentleman could possibly receive from high officials. It appeared to him that the boys had not half the flogging which he had in his early days; and he believed he should never have sat in the House of Commons unless he had been so well flogged as a lad. The House would bear in mind that this case occurred in March, 1875, and he was sorry to find that the hon. Member for Leicester had, by means which he would not describe in this place, but which he would out of the House designate as "claptrap," got up a case that it might appear to-morrow in the Leicester papers; and he was sorry that the hon. Gentleman had used un-Parliamentary language towards a Home Secretary for whom hon. Members on both sides of the House entertained the greatest respect. He would advise the hon. Member in future to take counsel from the hon Member for Hackney (Mr. Fawcett) and bring forward his Motions in more temperate language. A more paltry, trumpery case had never been brought into the House of Commons since he had sat there, and the punishment awarded to Mr. Wilberforce had been enough, and more than enough.

MR. STACPOOLE said, he should vote against the Motion. Mr. Wilberforce had been already sufficiently punished. He had had to pay damages, and he had been gibbetted in the Press and in that House.

MR. P. A. TAYLOR, in reply, denied that he had used violent language against the unpaid magistracy, for he believed that the conduct of which he had complained was utterly repugnant to the feelings of the unpaid magistracy. Neither was it his intention to use any disrespectful or un-Parliamentary language towards the Home Secretary; and, if any such language had escaped him, he begged to apologize for it.

Question put.

The House *divided*:—Ayes 19; Noes 100: Majority 81.

PRIVY COUNCIL (OATHS TAKEN BY MEMBERS &c.)—MR. LOWE'S SPEECH AT RETFORD.

ADDRESS FOR RETURNS.

MR. CHARLES LEWIS, in rising to to move an Address for—

> "Returns of the form of the oath or oaths taken by persons sworn Members of the Privy Council; and, showing the respective dates when the following persons were sworn in as Members of the Privy Council:—The late Edward Geoffrey Smith-Stanley Earl Derby, the late Viscount Palmerston, the Right honourable John Earl Russell, the Right honourable Member for Bucks, the Right honourable Member for Greenwich, and the Right honourable Member for the University of London,

said that, under ordinary circumstances, he should have been content to see whether these Returns would not have been granted without opposition; but the circumstances were of an extraordinary character, and he thought he should be able to prove to the House that he was justified in moving especially for that portion of the Returns which would give the dates at which certain right hon. Members, still Members of the House, and also certain distinguished persons formerly Members of it, were sworn in as Members of the Privy Council. There was, he was sorry to say, the strongest reason to believe that, solemn as the Privy Councillor's oath was understood to be, it was not always respected. If, for instance, certain statements correctly represented as having been made by a right hon. and distinguished Member of that House had been really made, it would be seen that the confidence which was reposed in persons occupying the honourable position of a Privy Councillor was sometimes violated. It would be in the recollection of the House that he had a few days back given Notice that he intended to put a Question to the right hon. Gentleman the Member for the University of London, which, however, he was informed by the Speaker it would be irregular to put, and he thereupon stated it to be his intention to call attention to the subject on a Motion which the hon. Member for Hackney (Mr. Fawcett) had announced it to be his intention to bring forward. The Motion of the hon. Member for Hackney had, however, never come on, and the result was that he had been deprived of the opportunity of putting the Question which, he submitted to the House, related to a matter of grave public importance. The Question was as follows—

> "To ask the right hon. Member for the University of London whether he is correctly reported in *The Daily Telegraph* of the 19th of April to have spoken at a Liberal banquet at East Retford with reference to the Royal Titles Bill as follows:—'I strongly suspect that this is not now brought forward for the first time. I violate no confidence, because I have received none; but I am under a conviction that at least two previous Ministers have entirely refused to have anything to do with such a change. More pliant person have now been found, and I have no doubt the thing will be done.' And, if so, whether he will state further to the House to which Ministers of the Crown he referred in such speech; and whether the information upon which he made such statement was communicated to him by any one holding the position of a Privy Councillor.

That being the Question of which he had given Notice, and being unwilling to assume that the right hon. Gentleman (Mr. Lowe) had uttered the words attributed to him without giving the right hon. Gentleman an opportunity to deny this before taking any further steps in that House on the subject, he, as a Gentleman and fellow Member, addressed to the right hon. Gentleman the following communication:—

"28, Hamilton Terrace, N.W.,
"28th April, 1876.

"Sir,—You will, no doubt, have seen in the public journals this morning the terms of a Question on a public matter of grave importance, which I gave Notice of putting to you when Mr. Fawcett's Motion on the Royal Titles Bill in the Order Book of the House fixed for this day came on for discussion. That Motion having now been withdrawn, and the Speaker having ruled that the Question cannot be put in the ordinary way, I take the liberty of requesting your attention to the words imputed to you, as quoted in my Question, and to be informed whether the report of your speech in *The Daily Telegraph* to that extent is correct or not?—Your obedient servant,

"C. E. LEWIS.

"The Right Hon. R. Lowe, M.P."

To that letter the right hon. Gentleman replied—

"34, Lowndes Square, S.W.,
April 29, 1876.

"Sir,—My recent speech at Retford contained nothing relating to you, and I therefore owe you no explanation of anything in it. You will not, I hope, therefore, think me discourteous if I refuse to answer your question."—I am, Sir, your obedient servant,

"ROBERT LOWE."

He might, perhaps, here be allowed to observe that he had not asked for any explanation, and all he wished was to ascertain whether the statement to which he referred had been correctly attributed to the right hon. Gentleman. In reply to that letter of the right hon. Gentleman he wrote as follows:—

"28, Hamilton Terrace, N.W.
"May 1, 1876.

"Sir,—In acknowledging the receipt of your note of the 29th ult., I would remark that you appear to have mistaken the character of my request, and not to have appreciated my motive in making it. So far from assuming that you owed me personally any explanation of your speech at Retford, I have, as it must be perfectly obvious to you, treated the matter as a public one only, and, as a Member of the House of Commons, I have sought to put the Question publicly to you. Failing in that endeavour, I then thought it only fair to you, before I took any further step, to give you an opportunity of denying the words attributed to you if they have been incorrectly reported.

"In exercise of your undoubted right, you have declined to say whether they are correct or not. I have, now, therefore, as a matter of fairness and courtesy, to give you notice, that on a Motion for certain Returns connected with the oaths of Privy Councillors which I propose to make on Tuesday next, I shall draw attention to your speech at Retford, and thus give you an opportunity, in the face of the House and of the public, to contradict or explain the extraordinary statements attributed to you in the public papers.

"In the meantime, owing to the course you have taken, I think I may fairly assume, *primâ facie*, that the reports are substantially correct. —I remain, Sir, your obedient servant,

"C. E. LEWIS.

"The Right Hon. R. Lowe, M.P."

Well, the right hon. Gentleman the Member for Greenwich (Mr. Gladstone), who has communicated to me that he was unfortunately unable to be in his place in the House to-night, thought the subject to which those communications related of such importance that he became a voluntary witness in the matter, for he addressed the following letter to the Press, which has appeared in all the newspapers within the last few days:—

"It was rumoured some little time back that Her Majesty had been pleased to suggest to two late Prime Ministers the proposal which has now been embodied in the Royal Titles Bill. To the best of my belief, I was not named as one of them; and, for reasons which seem to me important, I thought it better to take no notice of an unauthenticated report, which might at once die away. Further attention has, however, been given to the matter within the last few days; and, although I deem that the merits of the question cannot in the smallest degree depend upon the truth or untruth of any such allegation, I think it my duty to state, so far as I am myself concerned, that neither this nor any other suggestion was mentioned by me to Her Majesty during the time when I had the honour to be in her service."

An ex-Prime Minister would never have condescended to write to the public Press on the subject unless he had found that there was great anxiety respecting it, and he regarded the denial of the right hon. Gentleman as a proof that he considered the rumour so widely circulated ought to be publicly contradicted. He asked the House to consider the character of the statement attributed to the right hon. Gentleman the Member for the University of London. His statement was that, according to his conviction, upon some evidence which he would no doubt give to the House—for it was impossible that he could have made such a statement without any evidence whatever—two Prime Ministers had entirely refused to have anything to do with a change in the title of the Queen, but that more pliant persons had been found, and that he had no doubt the thing would now be done. He (Mr. Lewis) was sure the House would feel that he was entitled to ask the right hon. Gentleman the Member for the University of London who were the Ministers to whom that request was made. The matter did not, however, end there. *The Times*, which had given a report of the observations of the right hon. Gentleman on the 19th of April, published a supplemental report on the following day, and in this report a most extraordinary statement appeared. The right hon. Gentleman was reported to have said—

"It is not merely that pressure has been put on Members of Parliament—more than political pressure—but the whole matter has been carried out in such a way as to cause in my mind the most painful apprehensions that it is only the beginning of much evil, which might by the least effort of manliness and straightforwardness have been averted, if the Minister of the Crown had had the courage to tell Her Majesty he would not, any more than his predecessors, lend himself to such a course, which he believed in his conscience to be injurious to her Crown and dignity."

What was there involved in the statement but that Her Majesty had asked somebody to do something involving serious damage to her Crown and dignity? What was it but a charge that the right hon. Gentleman who was now Prime Minister had not the courage which previous Prime Ministers had—that he had not the straightforwardness and manliness to tell an exalted Personage that he would not submit to do anything which would be injurious to her Crown and dignity? Now, was it possible that this statement of the right hon. Gentleman could be true, without there having been a gross breach by two persons at least of the Privy Councillors' oaths? He wanted to know authoritatively the form of that oath, but he had some idea of its contents, and he should ask the House to assume that the oath contained these clauses: a Privy Councillor was sworn to advise according to his best discretion for the Queen's honour and the public good, to keep the Queen's counsels secret, to avoid corruption, to help and strengthen what should be resolved, to withstand demands to the contrary, and to do all that a true Councillor should for his Sovereign. If the right hon. Gentleman had spoken the words which were attributed to him—and he had taken care not to deny or explain them—what had he done? He had stated that two previous Ministers of the Crown had broken the secrecy to which they were bound by the solemn oath laid on them. How was it possible that such a request could be made known to any third person except by her who made it or by those to whom it was made? Was it to be supposed that the exalted Personage who was the object of the right hon. Gentleman's attack had communicated the secret which he said was made known? What was the result? That two of the right hon. Gentleman's Colleagues, or two of the persons who had filled the office of Prime Minister, had broken the secrecy to which they were sworn. It would be in the recollection of the House that when the Government of India was changed in 1858, the late distinguished Nobleman (Lord Derby) was Prime Minister. He would leave it to any one who knew that Nobleman and his character for integrity and honour to say whether he was likely to be one of the two persons who had broken the Queen's council. The next person who would be named was the noble Lord (Earl Russell), who was the Nestor of the other House, and who was once a distinguished Leader of the Liberal Party. Were they to be told that he was the person who had broken the secrecy of the Privy Councillor's oath? He did not believe it. The next person to whom this imputation would apply was the late Lord Palmerston, who had been beloved by all parties. Was he the person who would break the secrecy of his Sovereign? Was the right hon. Gentleman (Mr. Disraeli), the Minister who once resisted and was so pliant now? It was not necessary to discuss it. There was one other Minister left—the right hon. Gentleman the Member for Greenwich, who thought the rumour or suggestion came so near to his door that he condescended to the platform of the public Press in order to contradict the statement. They all knew what remarks were made in private, and that the right hon. Gentleman (Mr. Gladstone) and the late Lord Palmerston were stated to be the persons referred to. Well, one had denied it, and the other was dead and could not tell the true story. This was not a mere after-dinner speech. The right hon. Gentleman had received a retainer to make a great oratorical display; but whether his precise object had been to abash and throw cold water on his Party, or to inspirit them to future success, he (Mr. Lewis) had never been able to discover. At one moment he seemed to be a Liberal Cassandra wishful to destroy the hopes of the young Members of his Party of ever returning to the Elysian region of the Treasury Bench. At another time he seemed overcome with a spirit of personal bitterness, and he not only displayed that feeling, but admitted he was possessed of it; but there was too much of the prepared character about it to suppose that it was an after-dinner oration delivered by a gentleman who did not know what he was about. It was a deliberate political attack by an ex-Minister on his opponents; and they were entitled to ask him, as an ex-Minister of State, and as an ex-Privy Councillor, on what authority he had made the statements which he (Mr. Lewis) had read. He could not suppose the object of the right hon. Gentleman was to degrade his Sovereign—they knew he had no objection to degrade the Conservative Party; but the right hon. Gentleman not only intended to insult the right hon. Gentleman at the head of the Government, but he insulted all of them. [" Order! "]

Mr. SPEAKER: I must remind the hon. Member that he must not attribute an intention on the part of the right hon. Gentleman to insult Members of this House.

Mr. CHARLES LEWIS said, he did not mean to say that the right hon. Gentleman intended to insult Members of that House; but, whether intended or not, what he said was an insult or affront. He would read the words of the right hon. Gentleman. He said—

> " This Bill was passed against the unanimous opinion of both Houses of Parliament; and it was passed under a pressure on Members of Parliament of more than political pressure."

If he did not intend to insult them he (Mr. Lewis) asked what was the effect of that language? The Bill was passed in that House by a majority of 105; passed not by the Members on that side only, but by the assistance of many Members of high standing on the Opposition side of the House; and they were asked to believe that, though it was carried by their votes, it was carried without the assent of their minds. Was it too much to say that the effect of such a charge was to insult a body of Members who had just as much right to express their views and give their vote as the right hon. Gentleman himself? He was not an out-and-out supporter of the Government; but he solemnly declared that he never gave a vote in that House more in accord with his convictions or with more thorough satisfaction and more thorough desire to see the measure carried into effect. It was a common practice for Gentlemen opposite, when they were out-voted, to say to Gentlemen on this side—" If you had voted as you speak in the Lobby the result would have been different." That might be the way in which they voted when in office; but hon. Members on his side of the House were not so pliant. All he would ask of hon. Members opposite was to believe that hon. Members on his side of the side of the House were as conscientious and desirous to vote according to their views as themselves. He did not intend to detain the House any longer on the subject. He hoped the right hon. Gentleman would give the information desired. In thinking of the right hon. Gentleman's remarkable speech he was irresistibly reminded of the line—

> " Impiger, iracundus, inexorabilis, acer."

He did not know about " Impiger," but the last three words seemed exactly to describe the frame of mind in which the right hon. Gentleman set to work not only to abuse the much-abused Titles Bill and its authors, but also the most exalted Personage in the country.

Mr. E. J. REED: I rise to order. The hon. and learned Gentleman says that the right hon. Gentleman set to work to abuse the most exalted personage in the country. I ask whether that is in Order?

Mr. SPEAKER: The expression that the hon. and learned Member made use of is certainly out of Order. Many of his observations have been irrelevant to the subject now before the House. In so far as the observations of the right hon. Gentleman were pertinent to the Motion now before the House, the hon. and learned Member was no doubt entitled to refer to them, but many of the observations which he made had nothing to do with it.

Mr. CHARLES LEWIS said, he thought he had shown sufficient ground for bringing the subject before the House. He believed hon. Members would agree with him in thinking that Gentlemen occupying the position of Privy Councillors should not either cast aspersions without justification upon those who filled high and distinguished offices or bring against individuals charges which were merely founded on idle rumours.

Sir H. DRUMMOND WOLFF seconded the Motion.

Motion made, and Question proposed,

"That an humble Address be presented to Her Majesty, that She will be graciously pleased to give directions that there be laid before this House, Returns of the form of the Oath or Oaths taken by persons sworn Members of the Privy Council:

" And, showing the respective dates when the following persons were sworn in as Members of the Privy Council:—The late Edward Geoffrey Smith-Stanley Earl of Derby, the late Viscount Palmerston, the Right honourable John Earl Russell, the Right honourable Member for Bucks, the Right honourable Member for Greenwich, and the Right honourable Member for the University of London."—(*Mr. Charles Lewis.*)

Mr. LOWE: The hon. and learned Member for Londonderry has got that which it is not every man can boast that he has—that is a "vocation in life." His vocation is that of interrogation. Like Rob Roy, however, the hon. and learned Member may be said to live too late. He ought to have lived in the glorious times when interrogation was seconded by certain physical appliances which made it very difficult to refuse to answer anything that might be asked. There is a mixture of questioning, and threatening, and preaching in the hon. and learned Member's speech which irresistibly takes my mind back to the glorious days of the Inquisition, and makes me feel how dreadful it would be if I had the hon. and learned Member to cross-examine me with a lever in his hand ready to crush my bones if I did not answer his questions. But the feeling is accompanied by one of great relief that the hon. and learned Gentleman, although I am persuaded that he would if he could enforce what he wishes, does not possess that power; and that after all it depends upon me whether I will answer him or not. In his zeal he has overlooked the fact that the oath of Privy Councillors, which he asks the House to order, is now part of an Act of Parliament, which anybody can turn up for himself; and in also asking that certain names of Privy Councillors, with the time at which they were sworn, shall be produced, he asks for that with which any almanack can supply him. If I had been guilty of a breach of the Privileges of this House nothing could be more proper than for an hon. Gentleman to call attention to the matter, or if I did anything in this House which an hon. Gentleman felt as offensive to himself, nothing would be more proper than that he should at the time draw attention to it, but that is not what the hon. and learned Gentleman does. If hon. Members follow his leadership — which I trust they will not—they will find themselves in this embarrassing position, that whenever there is a convivial or political meeting in the country, whether attended by a Member of Parliament or not, at which certain things are said which may not be altogether to any hon. and learned Member's liking they will be obliged to take notice of it, for it is to be observed, I am not called upon for explanations either as a Member of Parliament or a Privy Councillor, but simply as a spouter. The hon. and learned Member certainly presents his case in a ludicrous aspect; but there is a serious side to it. Is the House of Commons prepared to take up the line of business which the hon. and learned Gentlemen has marked out? We all of us attend a great many political and other meetings in the country, and there are a great many which we do not attend, where the language used is perhaps not always strictly conventional, and where I confess I should not like to see it so. . Is the House of Commons prepared to lay down a rule that it is competent for any Member to come here, with a newspaper report in his hand, and say, Mr. So-and-So—who may be an honest burgess or a Member of Parliament—has used such and such language? And then, although the privileges of the House have not been invaded, whatever opinions may have been expressed in a coarse and vernacular manner, this hon. Gentleman is to deliver a curious oration, and then, to bring himself in Order, is to move for something which can be got out of an Act of Parliament or an old almanack. Is that a course which the House of Commons is prepared to sanction? Is the House, the representative of freedom of discussion in this country, going to undertake a kind of general censorship and punish freedom of speech exercised by orators in the country? What it is really asked to do is to constitute itself a tribunal of eloquence or good taste with respect to what people may choose to say in the country. I say that nothing can be more opposed to the dignity of this House or contrary to the purposes for which we are sent here, or likely to engage us in most unseemly quarrels in which we are certain to get the worst. Because if the House of Commons indulges itself in lecturing and abusing persons who make speeches in the country, it must expect that those persons will indulge themselves in lecturing and abusing the House of Commons; and so by these attacks made upon provincial meetings you will be laying the foundation for endless questions of Breach of Privilege in which you are sure to come by the worst. I therefore hold it to be the duty of every man who loves freedom of discussion, and who wishes to keep up as high as he possibly can the character of the House of Commons, to set his face against that which the hon. and learned Gentleman proposes to do, and in pursuance of that resolution I shall answer none of the hon. and learned Gentleman's questions. He has already answered every one of them himself in a tone as offensive to me probably as he could easily have devised. I shall leave him to be content with his own answers and his own questions, resembling in that respect the mother of Sissera, who put questions to herself and answered them. I certainly will not imitate the example of such wise ladies. I entirely deny any right on the part of a Member of this House to call me to account for anything I may say at meetings in the country, unless I infringe the privileges of this House or make a personal attack upon an hon. Member. We can discuss these political topics among ourselves here upon Motions regularly and properly brought forward, and not upon sham Motions like this. Let us adhere to that practice, and not drag down the House of Commons and bring it into collision with every assembly in the country which may happen to hold language or express opinions which are contrary to the wishes or feelings of the majority of the House of Commons for the time being.

Mr. DISRAELI: I regret, Sir, that this Motion has been brought before the House; but I regret still more the speech by which it has been met by the right hon. Gentleman. He has given us a picture of what will occur at our usual provincial political meetings; and he has very truly said—what everyone must feel—that nothing would be more unwise, and nothing could be more unnecessary than that expressions used on these political occasions, which may offend a Party—which may be deficient in taste and even in truth—should be called in question, and subject to the criticism of the House of Commons. The dinner which the right hon. Gentleman attended, and which has given rise to this Motion, was, however, in my opinion, one to be rather distinguished from the common order of these provincial and political gatherings. However we may indulge in what is styled the rough-and-ready expression of our political opinions, whatever they may be, and whether Conservative or Liberal—however we may sometimes exceed the limits of propriety, of gentlemanlike feeling, or taste, it is not, I believe, the practice in this country to seize that occasion to make comments on the conduct of the Sovereign. And the right hon. Gentleman must have felt during the whole time while he was attempting to vindicate that freedom of speech necessary at the meetings of Englishmen, that it was not the boisterous festivity of the East Retford assembly that led to these painful inquiries, but that it was the circumstance that a politician—and a politician of a distinguished character, who had held high and responsible office—while the country was interested in the discussion of a great public question, should have taken the opportunity of making statements which were monstrous if they were true, but which if they were not true must be described by an epithet I cannot find in my vocabulary. Sir, did the right hon. Gentleman or did he not—not merely intimate, not insinuate, but I say broadly, state to the people of this country that the Royal Titles measure was introduced to the notice of Parliament by the unconstitutional and personal influence of the Sovereign? Did he or did he not take that occasion to hold up to public prejudice, and I will say public infamy, the Chief Minister, asserting, under circumstances detailed by the right hon. Gentleman with minuteness, that after that Gracious Sovereign had been balked and baffled in her appeals to previous Ministers, she had found a pliant and a servile instrument who was now ready to do her will? [*Opposition cheers.*] I believe I have stated the case fairly, as an hon. Gentleman opposite acknowledges by his cheers; and having done so, let us calmly examine the facts. There were two Chief Ministers to whom the Sovereign of this country had appealed to carry a measure similar to the Royal Titles Bill—a measure with that object, at least—and who had refused to undertake an office which they believed was dangerous to the State and to the honour of the Crown. That statement, made by a Privy Councillor, and by one who had been a Cabinet Minister, naturally affected, and does affect to this moment, the opinion and feeling of the country. Was it true? If the statement were true, it ought not to have been made. That, however, is a part of the case on which I shall not pause to dwell. That must be obvious to every hon. Gentleman, and it has been touched upon sufficiently. I confine myself on the present occasion to asking, Is it true? Who were these two preceding Ministers? The right hon. Gentleman the Member for Greenwich (Mr. Gladstone) was naturally one who was immediately in the public mind, and all of us admiring, and a large portion of the country justly placing their trust and confidence in him, must have been immensely influenced by the conviction that he had given such advice to Her Majesty, and had refused his sanction to the introduction of such a measure. The Member for the University of London served in office under the right hon. Gentleman the Member for Greenwich, in more than one post, and posts ultimately of extreme importance, and such as naturally would entitle him to the confidence of the right hon. Gentleman the Member for Greenwich, and therefore giving an additional plausibility to any statement he made which might depend upon the degree of confidence subsisting between him and the Member for Greenwich. The Member for Greenwich took occasion, in a most precise, and I will say almost solemn, letter, at once to meet that statement. Observe, in comparison with the conduct of the Member for Greenwich, the view of the position just taken by the Member for the University of London. This is, it seems, according to him, a rude, boisterous meeting, according to the custom of rough-and-ready Englishmen, in an obscure corner — he hardly remembers the name of the place, and really forgets the name of the society which assembled. It was nothing more than what happens every day in England. We are pursuing the most insignificant of objects, and it is absurd that the House of Commons should condescend to be aware of their existence. But that was not the feeling of the right hon. Gentleman the Member for Greenwich, one of the leading Members of this House, and one exercising a just and great influence on the opinions of his countrymen. The right hon. Gentleman felt it to be an occasion on which his duty required that he should at once meet it in a manner the most precise and the most solemn, and he told the country that it was false. Now about the other Ministers? There is another Minister to whom this might apply. I am myself not in the category, because I do not suppose, being so servile at the present moment, that I was much bolder on a former occasion. But we come now to the position of the late Earl of Derby, unfortunately no longer among us. I lived with him, so far as political circumstances are concerned, in as much intimacy as probably ever existed between two public men. I believe I shared his confidence entirely, and it so happens that, at the period to which the right hon. Gentleman refers, when at least the circumstances to which he refers would naturally have occurred —the change of the Government in India, and the transference of India from the Company to the Crown—I was in hourly communication with Lord Derby, because at that time the new India Bill was preparing by Lord Ellenborough. He was its author, and was believed by all England to be the man most capable of such a task, though the Bill was not successful. From technical reasons it had become necessary that the Bill should be introduced into the House of Commons instead of in the House of Lords, as was originally intended. As I was then the Leader of the House of Commons, I was naturally called upon to undertake the task, and I was with Lord Derby every day and every hour in preparing for the fulfilment of that duty. I frequently discussed with him and Lord Ellenborough the subject whether the Crown should, under these circumstances, take a new title in India, and there were reasons of State which rendered it most expedient, on the whole, that this question should be postponed. Indeed, I was so acquainted with these affairs that I was—which is the fact—myself personally responsible for the Royal Proclamation issued at that time, and for that particular description of the Queen's titles which have been quoted more than once in our debates. I think, therefore, I am justified in saying that I express a most profound conviction—judging from my intimacy with Lord Derby, and my recollection of all the circumstances of the time —in stating that no proposition of the kind was ever made to Lord Derby. Well, there remain two other Ministers whose confidence I did not share, and respecting whom, personally, I cannot speak. There is the venerable Lord Russell, and Lord Palmerston, whom we all recollect with regard and honour. Now, this matter having agitated the country, and having been brought before the attention of Parliament, it is most unwise that it should be left in doubt, or that there should be any hesitation in the public mind, because otherwise these calumnies crop up again, and these reckless speeches are again in time a source of authenticity for statements which have not been authoritatively denied and destroyed. Sir, I speak with the greatest difficulty at this moment, and I can only speak with the indulgence of the House. I have the authority of Her Majesty to make a statement on her part; but, at the same time, as I have felt it my duty to place before Her Majesty the fact that it is not according to the Rules of the House that the name of the Sovereign can be introduced into debate without the permission of the House — it therefore rests with the House whether I shall go on. If the House desires it, I shall do so. [The right hon. Gentleman resumed his seat.]

MR. SPEAKER: As the House is aware, one of the Rules of the House is this—that the introduction of the Queen's name into debate, with a view to influence the decision of the House, would certainly be out of Order. At the same time, if the statement of the right hon. Gentleman relates to matters of fact, and is not made to influence the judgment of the House, I am not prepared to say that, with the indulgence of the House, he may not introduce Her Majesty's name into that statement.

MR. DISRAELI: There is hardly a question before the House, and the statement I have to make is not to influence opinion. It is merely this statement on the part of Her Majesty—that there is not the slightest foundation for the statement that was made that proposals, such as were described in the Retford speech, were ever made to any Minister at any time. Sir, the whole thing is utterly unfounded—merely that sort of calumnious gossip which, unfortunately, I suppose, must always prevail, but which one certainly did not suppose would come from the mouth of a Privy Councillor, and one of Her Majesty's late Cabinet Ministers.

MR. E. J. REED said, that in the then state of the front Bench below him, he would venture to make one or two observations. He had listened with very great regret to this debate; but he had listened to no part of it with anything like the pain with which he heard the last words of the Prime Minister. Not sharing the advanced tendencies of the Party opposite, he recoiled from the exhibition they had just witnessed. He had heard with the utmost regret the name of Her Majesty introduced into that House in the course of one of that class of debates to which he believed the men with the highest tone of mind listened to with the greatest possible pain—he meant a debate based on a personal attack on a distinguished Member of that House. He did not justify the language used by the right hon. Gentleman (Mr. Lowe) at Retford. Imputations ought not, in his opinion, to be thrown upon the character or motives of a Minister of the Crown, and least of all upon the Prime Minister, who was the first man in the land. He desired to point out that there were one or two radical errors in the speeches of the hon. and learned Member for Londonderry (Mr. C. Lewis) and of the First Minister. It seemed to have been lost sight of altogether that the right hon. Gentleman, as reported, distinctly disclaimed having violated, because he had not received any confidence whatever on this question. That being so, it at once lowered the level of his speech and statement from the character which the Prime Minister's observations had rather tended to give it. It reduced it from the level of a speech of an ex-Minister to the level of ordinary conversation or gossip. The right hon. Gentleman claimed no authority for his statement. [*Cries of* "Conviction."] The right hon. Gentleman, no doubt, said he spoke from conviction; but he said that his conviction was based on no authoritative communication. Now, what had the Prime Minister done? He had stated that the subject of the Queen's title in reference to India had been elaborately discussed between the late Lord Derby and himself. The subject had therefore been discussed by one Prime Minister at any rate, and with a future Prime Minister, and could they not imagine such a matter getting about and readily taking a mistaken form? The Motion was based upon the erroneous assumption that such an important matter would be decided by a Prime

Minister on his own authority. Surely that was a radical error. It would, beyond doubt, be brought before the Cabinet and discussed there, and might not confidential communications of that nature get further in the course of years? He could only, in conclusion, express his regret that this personal matter had been brought forward. It was one which did not tend to raise the character or promote the business of the House.

Mr. CHARLES LEWIS congratulated the right hon. Gentleman upon the support he had received from his own side of the House. If the right hon. Gentleman supposed that he (Mr. Lewis) was disappointed or surprised by the course he had taken, he was entirely mistaken. He had never believed for a moment that the Motion, or any number of Motions, or his speech, or any number of speeches, would have induced the right hon. Gentleman to explain the statement he made at Retford. He, therefore, did not suppose that his Motion would have had the effect of removing from the public mind the impression which the right hon. Gentleman there intended to convey, or which, at all events, had been conveyed. He was quite satisfied with the discussion that had taken place, since it had proved most conclusively that the right hon. Gentleman could not, or would not, explain or deny the speech he had made; and that there was not a word of truth in the statement which had been attributed to him. It had further proved most conclusively that the right hon. Gentleman had not a word to offer in his defence for the grave speech he made, and which induced the right hon. Gentleman the Member for Greenwich (Mr. Gladstone), his chief, to write a letter to a Sunday newspaper which circulated throughout the country, denying, upon his own authority, the imputation which had been so made. He begged leave to withdraw the Motion, being satisfied that they had ground to powder all the suggestions which had been made on the other side of the House, and throughout the country, in reference to the conduct of the Government and the Conservative Party on the Royal Titles Bill. ["Divide."]

Question put.

The House *divided*:—Ayes 91; Noes 37: Majority 54.

Mr. E. J. Reed

TENANT RIGHT AT THE EXPIRATION OF LEASES (IRELAND) BILL.

(*Mr. Mulholland, Lord Arthur Edwin Hill-Trevor, The Marquess of Hamilton, Captain Corry, Mr. Chaine.*)

[BILL 84.] SECOND READING.

Order for Second Reading read.

Mr. MULHOLLAND, in rising to move that the Bill be now read a second time, said: I will detain the House but a short time in giving an explanation of its purport. No one can be more sensible than I am of the infinite injury inflicted upon Ireland by the perpetual agitation of the question of land tenure, and I will say at the outset that this is not an attempt to re-open the Irish land question. I have no desire to interfere in any way with the settlement of that question so recently concluded, and which I hope may be considered final. I trust that in this respect the assurance given by the right hon. Gentleman, then Prime Minister, may be verified, when, in introducing the Irish Land Act in 1870, he declared "that it was his intention by that Act to close and seal up for ever that great question." Neither will I discuss in any way the principles upon which that Act was founded, nor the amount of success it has achieved. It is enough to say that it has been accepted loyally even by those who questioned the wisdom or expediency of so great an interference with the rights of free contract, and that the Bill now before the House, originating as it has done with the landlords of Ulster, is a proof, if one is needed, that they desire the Land Act should be fairly carried out—carried out not merely in the letter, but in the spirit. If there has been a complaint from those landlords, it has been this, that the section of this Act relating to their province should have been so vague and undefined. That first section virtually comprised the entire legislation with respect to Ulster in the sentence "The usages prevalent in Ulster known as the Ulster Tenant Right Custom are hereby declared to be legal." Whatever may have been the intention in making this section, so meagre and unfashioned, the result was inevitable, and it was pointed out by some Members of this House during the debate upon the Bill that some would attach one meaning to these words, and others another meaning, and that the explanation and definition from which the Legislature shrank would have to be sought for in the Courts of Law, thus cruelly forcing both landlords and tenants into an attitude of apparent, though involuntary antagonism. The right hon. Gentleman to whom I have already referred in introducing the Bill and explaining the first section alluded as a probable source of the Ulster Custom of tenant-right to "the happy political relations existing in that province between the owners and the occupiers of the soil." It was hard upon these owners and occupiers, although, perhaps, not displeasing to their political opponents, that a custom arising out of such happy relations should have been made by any imperfection in legislation a lever to disturb them. The difficulties arising from this vagueness of the first section became early apparent, and on such points as the relation between that section and certain subsequent sections, the definition of the word "usage," the extent of area, and the length of use required to develop an estate rule into a "usage," there were the most conflicting decisions, resulting in a general feeling of uncertainty. The subject having been brought before the notice of Parliament, a Select Committee of the House of Lords was appointed in 1872 to inquire into the working of the Act. That Committee reported—"That difficulties had arisen in the working of the Act on certain points," which it proceeded to specify. Some of these points have been since settled by judicial decisions, and I believe that their settlement has been satisfactory, at least to the reasonable and moderate men, who form the great bulk of the community. The first and most important, however, of the "difficulties" alluded to in that Report, continues to excite the public mind in Ulster, and has given rise to a feeling of dissatisfaction among the most respectable and upright of the tenantry of that province, while at the same time it has been made the pretext for agitation by those who, I fear, desire nothing so little as that that tenantry should be satisfied and contented. The difficulty to which I refer is stated by the Select Committee to be—"whether at the expiration of a lease the Ulster Custom is to prevail over the covenant of surrender in the lease." With respect to this point, there are still doubts, or, where there are not doubts, there is dissatisfaction. After a number of conflicting decisions it may now be taken to be almost settled as a question of law "that if the tenant can prove that it has been a special usage on the estate to allow the benefits of the Tenant-right Custom on the expiration of the lease, such usage will override the covenant of surrender;" in other words, "it is the legal presumption that the covenant of surrender does prevail over the Tenant-right Custom until the tenant shall prove a special usage to the contrary, not a usage in the ordinary cases of yearly holdings, but a usage in the special case of expired leases." This is probably a fair construction of the Act, but it leads in practice to anomalies and injustice; for it is in most cases impossible for a tenant to prove such a usage, where, from the nature of the case, an occasion for the assertion or exercise of that usage has most probably never occurred; and yet nothing can be more certain than that, where the Ulster Custom existed, it did generally attach with equal and undiscriminating force to leaseholding as to yearly tenancies. I will not now attempt to detain the House by any detailed proofs of this proposition; sufficient proofs will be found in the evidence before the Devon Commissioners of 1844, given by witnesses from every county in Ulster, and which was truly expressed by Mr. John Vauddens Stewart, one of the witnesses who, speaking of his part of the County Donegal, said, "lease or no lease makes no difference. The tenant-right is considered the tenure." In fact, the growth and existence of the Ulster usage were coincident with the general prevalence of leases in the early part of the present century, and the leases themselves were seldom contracts in the ordinary sense; they were not entered into with reference to, or after consideration of, their covenants, which, indeed, were seldom, if ever, used by either landlord or tenant. Not only have we on the subject historical and traditional proofs, we have the custom as it exists at this day on the great and leading estates in the province. On these it is not usual to put a tenant at the expiration of an ordinary agricultural lease on any different footing from his neighbours holding from year to year. It would be invidious to select any special instances for mention, where this usage is so general; but I may call the attention of the House to the names on the back of this Bill as a proof that the custom is as I describe on the estates of the Duke of Abercorn, the Marquess of Downshire, Lord Edwin Hill-Trevor, and Lord Belmore, but, for the necessity of limiting the number of names on the Bill, the same guarantee might have been afforded as to the other Ulster landlords in this House. But general though it may be, if the onus is thrown upon a tenant of proving such a usage as the existence of tenant-right at the expiration of a lease, I ask the House to consider the difficulty of the task. What did exist may be described as having been a dormant usage, for unless a previous tenant on the estate had desired to give up his tenancy at the precise moment when his lease expired, and had claimed and been allowed the privilege of selling his interest before he had contracted a new tenancy, there had been no Act capable of being cited as a proof of the particular point at issue—To adduce proofs of a sale by a tenant on the estate before the expiration of his lease is not sufficient, because that sale may be considered to have been a sale of the unexpired portion of the lease. To adduce proofs of a sale a year or two after the expiration of the lease is not sufficient, because a new tenancy having been thus created it may be said that the sale was the sale of the new tenure. It is not disputed that it has been the custom to allow tenants at the expiration of their leases to continue in their holdings at a reduced rent, and after having entered upon such new tenancy to allow them the benefit of the tenant-right usages of the estate. But even as the law now stands, under the Act of 1870, the same rights would be acquired under similar circumstances. The question is not whether under certain circumstances a leaseholding tenant may acquire a right to the benefits of the usage, but whether at the expiration of his lease he may be deprived of them. As the Act of 1870 is now construed, it is no doubt possible that he may be so deprived of them, unless he can prove what, as I have said, is almost incapable of proof. Before the Act of 1870 there would have been little risk of any interference with the usages; but since the elasticity of the custom has been replaced by the hard-and-fast line of law, nothing outside or beyond that law can be reasonably expected, much less can it be considered secure. The leaseholding tenant, therefore, now finds himself in a worse position than he was in before the Land Act—a state of things most assuredly not contemplated, nor desirable to be continued. The present Bill is intended to remove that defect, and in doing so it keeps rigidly within the lines of the original Act, and opens no new ground whatever. It is brought forward to carry out the intention and design of that Act in this one important particular, where in practice it has proved defective, and to include among the usages it legalized this one usage now practically excluded, but not less general, nor less valued than the rest. The question to be decided is simply this—was the existence of tenant-right at the expiration of a lease on estates otherwise subject to the custom a usage prevalent in the Province of Ulster, or was it not? If it were so, it was the intention of the Act of 1870 to give it legal force. My belief is that it was such a prevalent usage. I have given some of my reasons, I hope enough to convince the House; but, if necessary, it will be easy to prove this with more detail. It is now, therefore, proposed to enact by this present Bill that, if a tenant whose lease may have expired, shall prove that had his building been from year to year, he would have been entitled to certain tenant-right usages, he shall be so entitled to them, notwithstanding the ordinary covenants in his lease. Proof must, of course, be given as under the original Act that he would have been entitled to the benefits of the custom had he been a yearly tenant, otherwise he does not come under the 1st section of that Act, but such proof is not required for the particular holding, but only as to the estate of which it forms a part. This is the entire enacting portion of the Bill. What follows are certain provisions necessary to provide for exceptional cases, and they are borrowed in form and substance from the other sections of the original Act, where with reference to leases they deal with analogous exceptions. The hon. and learned Member for Limerick (Mr. Butt) a few days ago took an opportunity when doing me the honour of meeting a speech of mine in this House upon another subject to say that I had not succeeded with respect to this Bill in winning the approval of the tenant farmers of Ulster, whose protests against it he said covered the Table. Well, no doubt, hon. Members have received these circulars to which he referred—I have received them myself—but they all bear the impress of common origin, and we are aware in this House how documents of that kind can be multiplied indefinitely to order where there is an active central committee, and a sufficient organization. I do not deny that a moderate and reasonable proposal, such as I now make, appears to some disadvantage beside the sensational Bill of the hon. and learned Member. A proposal to give tenant-right at the expiration of a lease cannot be expected to compete in attention with a proposal to transfer the ownership to the occupier; but I think the reception which the Bill of the hon. and learned Member has met with not only in this House, but over the entire Kingdom, will tend to open the eyes of any that were credulous enough to believe in its possible success, and that even they will not drop the substantial benefit now offered to them that they may grasp at a shadow. No doubt, most energetic and persevering attempts have been made to excite distrust of this Bill among the tenant-farmers, and the most unfounded statements have been made with respect to the nature of the Provisoes referring to exceptional cases, their scope and meaning. I will not now take up the time of the House by referring to these at any length. I imagine that this can be better done in Committee. I will only say that the exceptional cases provided for are simply in the first place :—1st. Those cases where the landlord shall prove a usage to the contrary so as to negative the presumption that leases do not affect the custom. In an Act whose whole foundation is "usage" it would not surely be possible to incapacitate a landlord from offering proof as to the existence or nature of that usage. The complaint now is that the tenant has to adduce the proof, and that this is impossible. Well, we shift this onus upon the landlord, and, if there be a difficulty, it will still remain, but will remain for the landlord. To this surely no reasonable tenant can object. 2nd. The 2nd Proviso refers to cases where the lease may have contained an express agreement to forego the custom. Some of the arguments I have used as to the general nature of the ordinary Ulster agricultural lease, apply to such exceptional cases of express contract, and it would be unjust not to provide for them as exceptions. I may also state that there is a similar provision in the original Act, where in the 4th section it deals with claims for improvements at the expiration of leases. 3rd. The third and last provision is, that, in awarding compensation, regard shall be had as to the length of the lease and the rent at which it has been held. This was intended to apply to cases where long leases had been given, sometimes of considerable tracts, at low, often at mere chief rents; it was not intended to apply to ordinary agricultural leases, but I shall propose in Committee that it shall be narrowed so as to express this meaning more clearly. It is the intention that the Bill shall fairly and fully carry out its avowed object, and shall afford the relief which the leaseholding tenants of Ulster have claimed. If it receives, as I hope it will receive, the assent of the House, it will give a feeling of security in the enjoyment of a cherished custom to an important and deserving section of the tenant-farmers of Ulster, who now find themselves in an exceptional and uncertain position, and it will, I trust, in so doing, diffuse that contentment and satisfaction which it was hoped the Land Act would produce, but which in Ulster has not been attained, owing mainly to the fault which it is now desired to remedy. In what I have said I have directed myself to convince and conciliate those who might naturally have been expected to view with suspicion a proposal to interfere with the covenant of a lease. But it is not from such a quarter or on such grounds that opposition is threatened to the Bill, and, from the unexpected source from which it comes, hon. Members will not fail to see the true character of that opposition. What are the facts of the case? There are, it is said, over 30,000 leaseholding tenants in Ulster, as to whom at the expiration of their leases, as the law now stands, it will be legal presumption that the covenant of surrender has deprived them of the benefit of the tenant right usages, to which they would otherwise have been entitled. A great and widely spread dissatisfaction has ensued, and a Bill is brought forward to afford redress. To remove that legal presumption, and to declare that unless the contrary shall be proved, a lease shall not be taken to have deprived a tenant of the benefits of the custom. And who is it that comes forward to oppose that Bill? An hon. Member who professes specially to represent the interests of the tenant-farmers. I believe that in taking such a course the hon. Member has made a great mistake, although, no doubt, the temptations to it were obvious. The removal of a grievance, especially if by the hands of others, might not suit the purposes of the hon. Member, nor the active and clever Committee who undertake to organize agitations among the tenant-farmers of Ulster. This fear was natural that, if this Bill should become law, their craft would be in danger. But if the hon. Member should succeed in obstructing the passing of this Bill during the present Session, I doubt whether it will excite the gratitude of those lease-holding tenants whose leases may expire during the next 12 months, that when their interests were in the balance, personal and party considerations should have been allowed to outweigh them. The hon. Member has himself brought forward another Bill on the land question, a Bill which, as it seeks to introduce novel principles into legislation, and to create usages by statute, is not likely to receive the sanction of this House, an opinion probably shared by the hon. Member himself, as I notice that, when at the opening of the Session, he had to select a day for the second reading, he selected the 21st of June! The present Bill, if more modest in its character, has at least this merit—it is one that it is hoped and expected by its promoters may become law, and it is one that is intended not to foment discontent and agitation, but to allay them. I beg to move the second reading of the Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Mulholland.*)

Mr. CRAWFORD, in rising to move, as an Amendment, that the Bill be read a second time that day six months, said, it was a matter of consideration with him whether he should oppose the measure or not. That was to say, whether he thought it could be amended in Committee. But on consideration he found that it could not be amended so as to make it a satisfactory measure, and therefore he had no other course open to him but to oppose it. In reference to the Bill, he took exception to what was called tenant right at the expiration of leases on the back of the Bill. Tenant right did not commence at the expiration of a lease. He also took exception to the first part of the clause in the Bill where leasehold tenant right was made at all dependent upon year to year tenancies, because, in his opinion, that was not a matter which was involved in this question. Tenant right had existed co-existent with leases for a large number of years. He alluded to a meeting which had been held in the North of Ireland by the Conservative landowners, at which a resolution was passed pledging the meeting to use their best endeavours to allow tenant right at the end of leases.

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present,

House adjourned at a quarter
before Eleven o'clock.

[APPENDIX.

APPENDIX.

THE ROYAL TITLES ACT.

By The QUEEN.—A PROCLAMATION.

VICTORIA R.

Whereas an Act has been passed in the present Session of Parliament, intituled "An Act to enable Her Most Gracious Majesty to make an Addition to the Royal Style and Titles appertaining to the Imperial Crown of the United Kingdom and its Dependencies," which Act recites that, by the Act for the Union of Great Britain and Ireland, it was provided that after such Union the Royal Style and Titles appertaining to the Imperial Crown of the United Kingdom and its Dependencies should be such as His Majesty by His Royal Proclamation under the Great Seal of the United Kingdom should be pleased to appoint: and which Act also recites that, by virtue of the said Act and of a Royal Proclamation under the Great Seal, dated the 1st day of January, 1801, Our present Style and Titles are "Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith:" and which Act also recites that, by the Act for the better government of India, it was enacted that the government of India, theretofore vested in the East India Company in trust for Us, should become vested in Us, and that India should thenceforth be governed by Us and in Our name, and that it is expedient that there should be a recognition of the transfer of Government so made by means of an addition to be made to Our Style and Titles: and which Act, after the said recitals, enacts that it shall be lawful for Us, with a view to such recognition as aforesaid, of the transfer of the Government of India, by Our Royal Proclamation under the Great Seal of the United Kingdom, to make such addition to the Style and Titles at present appertaining to the Imperial Crown of the United Kingdom and its Dependencies as to Us may seem meet; We have thought fit, by and with the advice of Our Privy Council, to appoint and declare, and We do hereby, by and with the said advice, appoint and declare that henceforth, so far as conveniently may be, on all occasions and in all instruments wherein Our Style and Titles are used, save and except all Charters, Commissions, Letters Patent, Grants, Writs, Appointments, and other like instruments, not extending in their operation beyond the United Kingdom, the following addition shall be made to the Style and Titles at present appertaining to the Imperial Crown of the United Kingdom and its Dependencies; that is to say, in the Latin tongue in these words, "Indiæ Imperatrix;" And in the English tongue in these words, "Empress of India."

And Our will and pleasure further is, that the said addition shall not be made in the Commissions, Charters, Letters Patent, Grants, Writs, Appointments, and other like instruments herein-before specially excepted.

And Our will and pleasure further is, that all gold, silver, and copper moneys, now current and lawful moneys of the United Kingdom, and all gold, silver, and copper moneys which shall on or after this day, be coined by Our authority with the like impressions, shall, notwithstanding such addition to Our Style and Titles, be deemed and taken to be current and lawful moneys of the said United Kingdom; and further that all moneys coined for and issued in any of the Dependencies of the said United Kingdom, and declared by Our Proclamation to be current and lawful money of such Dependencies, respectively bearing Our Style or Titles, or any part or parts thereof, and all moneys which shall hereafter be coined and issued according to such Proclamation, shall, notwithstanding such addition, continue to be lawful and current money of such Dependencies respectively, until Our pleasure shall be further declared thereupon.

Given at Our Court at Windsor the twenty-eighth day of April, one thousand eight hundred and seventy-six, in the thirty-ninth year of Our Reign.

GOD SAVE THE QUEEN.

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TO

HANSARD'S PARLIAMENTARY DEBATES

VOLUME CCXXVIII.

SECOND VOLUME OF SESSION 1876.

Explanation of the Abbreviations.

In Bills, Read 1°, 2°, 3°, or 1ª, 2ª, 3ª, Read the First, Second, or Third Time.—In Speeches, 1R., 2R., 3R., Speech delivered on the First, Second, or Third Reading.—*Amendt.*, Amendment.—*Res.*, Resolution.—*Comm.*, Committee.—*Re-Comm.*, Re-Committal.—*Rep.*, Report.—*Consid.*, Consideration.—*Adj.*, Adjournment or Adjourned.—*cl.*, Clause.—*add. cl.*, Additional Clause.—*neg.*, Negatived.—*M. Q.*, Main Question.—*O. Q.*, Original Question.—*O. M.*, Original Motion.—*P. Q.*, Previous Question.—R. P., Report Progress.—*A.*, Ayes.—*N.*, Noes.—*M.*, Majority.—1*st. Div.*, 2*nd. Div.*, First or Second Division.—*l.*, Lords.—*c.*, Commons.

When in this Index a * is added to the Reading of a Bill, it indicates that no Debate took place upon that stage of the measure.

When in the Text or in the Index a Speech is marked thus *, it indicates that the Speech is reprinted from a Pamphlet or some authorized Report.

When in the Index a † is prefixed to a Name or an Office (the Member having accepted or vacated office during the Session) and to Subjects of Debate thereunder, it indicates that the Speeches on those Subjects were delivered in the speaker's private or official character, as the case may be.

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Channel Islands—The Royal Court of Jersey
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CHARLEY, Mr. W. T., *Salford*
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Chelsea Hospital Accounts Bill
(*Mr. Stephen Cave, Mr. William Henry Smith, Mr. Stanley*)
c. Ordered; read 1° * *April* 26 [Bill 133]

CHILDERS, Right Hon. H. C. E., *Pontefract*
Merchant Shipping, Comm. *cl.* 14, 1374; *cl.* 16, 1796
Navy—Royal Marines, 1520
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Navy Estimates—Admiralty Office, 1552, 1554
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China—The Yunnan Mission
Question, Sir Trevor Lawrence; Answer, Mr. Bourke *April* 10, 1479

Church Bodies (Gibraltar)—The Ordinances
Question, Mr. Dillwyn; Answer, Mr. J. Lowther *Mar* 16, 66
Moved, "That an humble Address be presented to Her Majesty, praying Her Majesty to withhold her assent to the Draft Ordinances for creating Anglican and Roman Catholic Church Bodies at Gibraltar, which have been recently laid upon the Table of the House" (*Mr. Dillwyn*) *Mar* 28, 767; after short debate, Motion withdrawn

Church of England
Burial Services—The Dore Burial Case, Questions, Mr. Osborne Morgan; Answers, Mr. Assheton Cross *Mar* 23, 469; *Mar* 31, 966
The Burial Service, Question, Mr. A. M'Arthur; Answer, Mr. Assheton Cross *Mar* 30, 881

Church of Scotland (Election of Ministers) —see under *Scotland*

Church Rates Abolition (Scotland) Bill
(*Mr. M'Laren, Dr. Cameron, Mr. Baxter, Mr. Trevelyan, Mr. Grieve, Mr. Laing, Sir George Balfour*)
c. Moved, "That the Bill be now read 2°" *Mar* 15, 8 [Bill 25]
Amendt. to leave out "now," and add "upon this day six months" (*Sir William Cuninghame*); after debate, Question put, "That 'now,' &c.;" A. 155, N. 210; M. 55
Words added; main Question, as amended, put, and agreed to; 2R. put off for six months

Civil Departments (Employment of Soldiers)
Moved, "That a Select Committee be appointed to inquire—
"1st. How far it is practicable that Soldiers, Sailors, and Marines who have meritoriously served their Country should be employed in such Civil Departments of the public service as they may be found fitted for;
"2nd. How far it is practicable, in order to form and retain an efficient Reserve Force, for the State to become the medium of communication between private employers of labour and Soldiers of the Army Reserve and Militia Reserve who desire to obtain employment:
"And that the Committee be directed to report on the best means of carrying these objects into effect" (*Sir Henry Havelock*) *May* 2, 1987; after short debate, Motion withdrawn
Select Committee appointed, "to inquire how far it is practicable that Soldiers, Sailors, and Marines who have meritoriously served their Country should be employed in such Civil Departments of the public service as they may be found fitted for" (*Sir Henry Havelock*)
Committee nominated *May* 15; List of the Committee, 1997

Civil Service
Outdoor Officers at Outports, Question, Mr. O'Shaughnessy; Answer, Mr. W. H. Smith *April* 10, 1478
The Order in Council—Clause 12—Lower Division of Writers, Question, Colonel Naghten; Answer, The Chancellor of the Exchequer *Mar* 23, 472; Question, Mr. O'Conor; Answer, The Chancellor of the Exchequer *April* 27, 1759
Writers at the Customs Out-Ports, Question, Mr. M'Laren; Answer, The Chancellor of the Exchequer *Mar* 31, 963

Clerk of the Peace and of the Crown (Ireland) Bill
(*Mr. Solicitor General for Ireland, Sir Michael Hicks-Beach*)
c. Ordered; read 1° * *Mar* 30 [Bill 119]

CLEVELAND, Duke of
University of Oxford, Comm. 932; *cl.* 16, 1306; Report, *add. cl.* 1952

CLIVE, Mr. G., *Hereford*
Land Tenure (Ireland), 2R. Amendt. 790

Coast and Deep Sea Fisheries (Ireland) Bill (*Dr. Ward, Mr. Butt, Mr. Collins, Sir Joseph M'Kenna*)
c. Moved, "That the Bill be now read 2°" *Mar* 22, 428 [Bill 9]
After debate, Amendt. to leave out "now," and add "upon this day six months" (*Sir Michael Hicks-Beach*), 464; Question put, "That 'now,' &c.;" A. 131, N. 215; M. 84
Words added; main Question, as amended, put, and agreed to; 2R. put off for six months

COCHRANE, Mr. A. D. W. R. Baillie, *Isle of Wight*
Supply—Report—Suez Canal—Modification of Dues, 1571

COLCHESTER, Lord
University of Oxford, Comm. *cl.* 16, 1304; *cl.* 17, Amendt. 1307; *add. cl.* 1316; Report, *cl.* 16, 1951

COLEBROOKE, Sir T. E., *Lanarkshire, N.*
Burghs and Populous Places (Scotland) Gas Supply, 2R. 5
Parliament—Private Bill Committees—Referees—Instruction, Res. 617
Royal Titles, Comm. 109, 110

COLLINS, Mr. E., *Kinsale*
Borough Franchise (Ireland), Res. 740
Coast and Deep Sea Fisheries (Ireland), 2R. 452
Merchant Shipping, Comm. *cl.* 9, 1370
Ways and Means—Income Tax, Res. 1364

CONOLLY, Mr. T., *Donegal Co.*
Merchant Shipping, Comm. *add. cl.* 1939

Consolidated Fund (£10,029,550 5s. 1d.) Bill
(*Mr. Raikes, Mr. Chancellor of the Exchequer, Mr. William Henry Smith*)
c. Resolutions [March 20] reported, and agreed to; Bill ordered; read 1° * *Mar* 21
Read 2° * *Mar* 22
Committee *; Report *Mar* 23
Read 3°, after short debate *Mar* 24, 563
l. Read 1ª* (*The Lord President*) *Mar* 24
Read 2ª*; Committee negatived; read 3ª *Mar* 25
Royal Assent *Mar* 27 [39 *Vict.* c. 4]

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Coroners (Dublin) Bill
(*Mr. Sullivan, Sir Arthur Guinness, Mr. Maurice Brooks, Mr. Patrick Martin*)
c. Read 2° * *Mar* 27 [Bill 104]

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Council of India (Professional Appointments) Bill (*The Marquess of Salisbury*)
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County Court Holidays
Question, Mr. Evelyn Ashley; Answer, The Attorney General *April* 10, 1473

County Palatine of Lancaster (Clerk of the Peace) Bill
(*Mr. Hardcastle, Mr. Holt, Mr. Clifton*)
c. Read 3° * *Mar* 17 [Bill 53]
l. Read 1ª * (*Lord Winmarleigh*) *Mar* 20 (No. 34)
Read 2ª, after short debate *Mar.* 24, 560
Committee *; Report *Mar* 27
Read 3ª * *Mar* 28
Royal Assent *April* 7 [39 *Vict.* c. iii]

County Rates (Ireland) Bill
(*Mr. Butt, Mr. Downing, Mr. Richard Smyth*)
c. Ordered; read 1° * *April* 27 [Bill 138]

COURTOWN, Earl of
Irish Peerage, Comm. *cl.* 2, 1900

COWEN, Mr. J., *Newcastle-on-Tyne*
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COWPER, Earl
Criminal Law—Untried Prisoners, Detention of—Case of George Hill, 919

Crab and Lobster Fisheries (Norfolk) Bill (*Mr. Frederick Walpole, Sir Robert Buxton, Mr. Colman*)
c. Ordered; read 1° * *Mar* 17 [Bill 109]
Read 2° * *Mar* 21

CRAWFORD, Mr. J. S., *Down*
Tenant Right at the Expiration of Leases (Ireland), 2R. Amendt. 2048

CRIMINAL LAW
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Quarter Sessions—Juries' Summons, Question, Colonel Naghten; Answer, The Attorney General *April* 24, 1576
The Tichborne Case—The Queen v. Castro—Witnesses, Question, Mr. Whalley; Answer, Mr. Assheton Cross *Mar* 16, 72; Observations, Mr. Whalley; Reply, Mr. Assheton Cross *Mar* 17, 246
Vaccination Act—Milner's Case, Question, Mr. Pease; Answer, Mr. Sclater-Booth *Mar* 23, 477; — *Prosecutions*, Question, Mr. P. A. Taylor; Answer, Mr. Sclater-Booth *Mar* 16, 62

CROSS, Right Hon. R. A. (Secretary of State for the Home Department), *Lancashire, S.W.*
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CROSS, Mr. J. K., *Bolton*
Public Health—Eagley, Typhoid Fever at, 1474

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(*The Lord Chancellor*)
l. Read 3ª* *Mar* 17 (No. 27)
c. Read 1º* *Mar* 21 [Bill 112]
Read 2º* *April* 6

CUBITT, Mr. G., *Surrey, W.*
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Customs and Inland Revenue Bill
(*Mr. Raikes, Mr. Chancellor of the Exchequer, Mr. William Henry Smith*)
c. Resolutions [April 6] reported, and agreed to; Bill ordered; read 1º* *April* 7 [Bill 124]

Dalrymple, Mr. C., *Buteshire*
Church Rates Abolition (Scotland), 2R. 24
Intoxicating Liquors (Licensing Law Amendment) (No. 2), 2R. 1890
Publicans Certificates (Scotland), Comm. *cl.* 5, 1812
Public Schools Act, 1868, Res. 1447

Davenport, Mr. W. Bromley-, *Warwickshire, N.*
Merchant Shipping, Comm. *cl.* 15, 1612
Metropolis—Hyde Park—The Serpentine, Res. 1249

Davies, Mr. D., *Cardigan*
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Denison, Mr. C. Beckett-, *Yorkshire, W.R., E. Div.*
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Dickson, Mr. T. A., *Dungannon*
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Dilke, Sir C. W., *Chelsea, &c.*
Barbadoes—Alleged Riots, 1627
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Dillwyn, Mr. L. L., *Swansea*
Cattle Disease (Ireland), Comm. *cl.* 2, Motion for reporting Progress, 1036, 1037
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Disraeli, Right Hon. B., (First Lord of the Treasury), *Buckinghamshire*
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Royal Titles—The Proclamation, 881, 1574, 1632, 1764, 1765, 1769, 1770

Divine Worship Facilities Bill
(*Mr. Wilbraham Egerton, Mr. Birley, Mr. Whitwell, Mr. Rodwell*)
c. 2R., Debate adjourned *Mar* 15 [Bill 30]

Dixon, Mr. G., *Birmingham*
Elementary Education Act (1870) Amendment, 2R. 1251, 1258, 1285, 1300

Dodds, Mr. J., *Stockton*
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Henwood, Mr. Charles, Petition of, Res. 344
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DODSON, Right Hon. J. G., *Chester*
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DOWNING, Mr. M'Carthy, *Cork Co.*
Cattle Disease (Ireland), Comm. *cl.* 2, 1037
Poor Law Amendment, Comm. 1469
Registry of Deeds Office (Ireland), Report, 621

Drainage and Improvement of Land (Ireland) Provisional Orders Bill
(*The Lord President*)
l. Royal Assent *Mar* 17 [39 *Vict* c. ii.]

Drainage and Improvement of Lands (Ireland) Provisional Orders (No. 2) Bill
(*Mr. William Henry Smith, Mr. Solicitor General for Ireland*)
c. Committee *; Report *Mar* 20 [Bill 99]
Read 3° * *Mar* 21
l. Read 1ª * (*The Lord President*) *Mar* 23
Read 2ª * *Mar* 31 (No. 39)
Committee *; Report *April* 3
Read 3ª * *April* 7
Royal Assent *April* 27 [39 *Vict.* c. 8]

Drugging of Animals Bill
(*Sir John Astley, Mr. Chaplin, Mr. Rodwell*)
c. Committee *; Report *Mar* 31 [Bill 85]
Considered * *April* 3
Read 3° * *April* 4
l. Read 1ª * (*The Lord Meldrum*) *April* 6 (No. 53)

DUFF, Mr. M. E. Grant, *Elgin, &c.*
India—Bengal Famine, Motion for a Select Committee, 1875
Royal Titles, Comm. 122

DUFF, Mr. R. W., *Banffshire*
Church Rates Abolition (Scotland), 2R. 26

DUNBAR, Mr. J., *New Ross*
Army Medical Officers, 476
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DUNDAS, Hon. J. C., *Richmond*
Poor Law—Out-door Relief, 876

DUNSANY, Lord
Irish Peerage, 2R. 1175; Comm. *cl.* 2, 1900

DYNEVOR, Lord
Felstead School—The Rev. W. Grignon, Dismissal of, 1755

Ecclesiastical Assessments (Scotland) Bill
(*The Lord Advocate, Mr. Secretary Cross, Sir Henry Selwin-Ibbetson*)
c. 2R. deferred, after short debate *April* 3, 1162 [Bill 106]

Ecclesiastical Dilapidations Acts, 1871, 1872
Moved that a Select Committee be appointed, "to inquire into the operation of the Ecclesiastical Dilapidations Acts of 1871 and 1872" (*Mr. Goldney*) *Mar* 21, 371; after short debate, Motion agreed to
Committee nominated *Mar* 27; List of the Committee, 374

EDMONSTONE, Admiral Sir W., *Stirlingshire*
River Gambia, Res. 2004

EDUCATION
MISCELLANEOUS QUESTIONS
Endowed Schools—Felstead School—Dismissal of Rev. W. Grignon, Observations, Lord Campbell; short debate thereon *April* 27, 1746
Nuneaton Grammar School, Question, Mr. Monk; Answer, Viscount Sandon *Mar* 28, 701
Primary Education—The Queen's Speech—Legislation, Question, Mr. W. E. Forster; Answer, Viscount Sandon *Mar* 27, 620; Question, Lord Francis Hervey; Answer, Viscount Sandon *April* 7, 1410

Elementary Education Act, 1870
Briston School District, Question, Mr. Richard; Answer, Viscount Sandon *Mar* 28, 696
Cardiff School Board, Question, Colonel Stuart; Answer, Viscount Sandon *Mar* 17, 171
"*Godless Education,*" Question, Mr. Maurice Brooks; Answer, Viscount Sandon *Mar* 20, 267
Pupil Teachers, Question, Mr. Briggs; Answer, Viscount Sandon *Mar* 30, 877
School Board Teachers, Question, Mr. Richard; Answer, Viscount Sandon *Mar* 31, 966
Science in Elementary Schools, Question, Sir Edward Watkin; Answer, Viscount Sandon *April* 7, 1405 [See under *Scotland*]

EGERTON, Hon. A. F. (Secretary to the Board of Admiralty), *Lancashire, S.E.*
Navy—Royal Marines, 1526, 1527

EGERTON, Hon. Admiral F., *Derbyshire, E.*
Navy—Royal Marines, 1523
Navy—"Alberta" and "Mistletoe," Collision, Res. 1516

Egerton, Hon. Wilbraham, *Cheshire, Mid*
Divine Worship Facilities, 2R. 42

Egypt
Miscellaneous Questions
Mr. Cave's Mission, Notice of Question, The Marquess of Hartington *Mar* 24, 563 ; Questions, The Marquess of Hartington, Mr. Lowe ; Answers, Mr. Disraeli, Mr. W. H. Smith *Mar* 24, 566 ;—*The Expenses,* Question, The Marquess of Hartington ; Answer, Mr. Disraeli *Mar* 27, 623

Egyptian Finance
Mr. Cave's Report, Questions, Mr. J. W. Barclay, Mr. Lowe ; Answers, Mr. Disraeli, The Chancellor of the Exchequer *Mar* 16, 74 ; Question, Mr. W. Cartwright ; Answer, Mr. Disraeli *Mar* 23, 480 ; Question, Mr. Samuelson ; Answer, The Chancellor of the Exchequer *Mar* 27, 621 ; Questions, Sir George Campbell, Sir H. Drummond Wolff ; Answers, Mr. Disraeli, The Chancellor of the Exchequer *Mar* 28, 699 ; Observation, The Chancellor of the Exchequer *Mar* 31, 1038
Mr. Rivers Wilson, Question, Mr. Gourley ; Answer, The Chancellor of the Exchequer *April* 6, 1325

Papers, &c., Question, Mr. Cowen ; Answer, Mr. Disraeli *April* 27, 1758
Proposed National Bank, The, Question, Mr. J. W. Barclay ; Answer, Mr. Disraeli *Mar* 27, 627

Suez Canal—Modification of the Canal Dues, Observations, Sir H. Drummond Wolff; Reply, The Chancellor of the Exchequer ; short debate thereon *April* 11, 1562

Suez Canal Shares
Bank of England—The Loans Act, Question, Sir H. Drummond Wolff ; Answer, The Chancellor of the Exchequer *Mar* 20, 269 ; Question, Mr. Evelyn Ashley ; Answer, The Chancellor of the Exchequer *Mar* 21, 351
The Administration—The Surtax, Question, The Marquess of Hartington ; Answer, The Chancellor of the Exchequer *April* 6, 1326

Egypt—The Slave Trade
Moved to resolve, That this House regrets that the policy of the Government was not directed to the suppression of the Slave Trade in the transactions with the Khedive of Egypt (*The Lord De Mauley*) *Mar* 20, 257 ; after short debate, Motion withdrawn
[See title *Slave Trade*]

Elcho, Lord, *Haddingtonshire*
Civil Departments (Employment of Soldiers), Motion for a Select Committee, 1994
Criminal Law — Delay of Justice — Winter Assizes, 625
Game Laws Amendment, 2R. 1815
Land Tenure (Ireland), 2R. 800
Metropolis—Hyde Park—The Serpentine, Res. 1249
Metropolitan Improvements Models, 350
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Elcho, Lord—*cont.*
Publicans Certificates (Scotland), Comm. *cl.* 5, 1812
Royal Titles, Comm. 132
Royal Titles—The Proclamation, 1777, 1778
South-Eastern Railway, 2R. 59

Elementary Education Act (1870) Amendment Bill [Bill 14]
(*Mr. Dixon, Mr. Mundella, Sir John Lubbock, Mr. Trevelyan*)
c. Moved, "That the Bill be now read 2°" *April* 5, 1251
Amendt. to leave out "now," and add "upon this day six months" (*Mr. Sandford*) ; after long debate, Question put, "That 'now,' &c.;" A. 160, N. 281 ; M. 121
Words added ; main Question, as amended, put, and agreed to ; 2R. put off for six months

Ellice, Mr. E., *St. Andrews*
Church Rates Abolition (Scotland), 2R. 33

Elliot, Sir G., *Durham, N.*
Supply—Report—Suez Canal—Modification of Dues, 1572

Elliot, Mr. G. W., *Northallerton*
United States—The "Alabama" Claims, 1481

Elphinstone, Sir J. D. H., *Portsmouth*
Coast and Deep Sea Fisheries (Ireland), 2R. 448, 449

Ely, Bishop of
University of Oxford, Comm. *cl.* 14, 943

Epping Forest Bill
(*The Lord President*)
l. Royal Assent *Mar* 17 [39 *Vict.* c. 3]

Errington, Mr. G., *Longford Co.*
Coolies—Réunion, Island of, 478

Eslington, Lord, *Northumberland, S.*
Merchant Shipping, Comm. 530 ; *cl.* 3, 548, 551, 649, 657 ; Amendt. 884, 901 ; *cl.* 5, 1154, 1156 ; Amendt. 1158, 1159 ; *cl.* 11, 1371 ; *cl.* 13, 1373 ; Amendt. *ib.* ; *cl.* 14, 1375 ; *cl.* 15, 1593 ; Amendt. 1613 ; Amendt. 1615 ; *cl.* 16, 1792 ; *cl.* 18, 1805, 1808 ; *cl.* 19, 1883 ; *cl.* 24, 1913 ; *cl.* 27, 1917 ; *add. cl.* 1924, 1938
Parliament—Public Business, 1330

Evans, Mr. T. W., *Derbyshire, S.*
House Occupiers Disqualification Removal, 2R. Motion for Adjournment, 552

Ewing, Mr. A. Orr, *Dumbartonshire*
Burghs and Populous Places (Scotland) Gas Supply, 2R. 7
Church Rates Abolition (Scotland), 2R. 29
Publicans Certificates (Scotland), Comm. *cl.* 5, 1810, 1812 ; *cl.* 11, 1813

Exchequer, Chancellor of the (*see* Chancellor of the Exchequer)

Exeter, Bishop of
- University of Oxford, Comm. 926 ; *cl.* 16, 960

Explosive Substances Act, 1875
- *Explosion of Dynamite in South Wales,* Question, Mr. Macdonald : Answer, Mr. Assheton Cross *April* 28, 1831
- *Railway Companies' Bye-Laws,* Question, Mr. M'Lagan ; Answer, Mr. Assheton Cross *Mar* 30, 879

Factory and Workshop Acts
- *Bleachworks and Dyeworks,* Question, Mr. Macdonald ; Answer, Mr. Assheton Cross *April* 3, 1098
- *Legislation,* Question, Mr. Serjeant Simon ; Answer, Mr. Assheton Cross *April* 27, 1761

Factory and Workshops Commission—The Report
- Question, Mr. J. W. Barclay ; Answer, Mr. Assheton Cross *Mar* 22, 618

Fawcett, Mr. H., *Hackney*
- India—Bengal Famine, Motion for a Select Committee, 1873
- India—Indian Tariff Act, 1483
- Law and Justice—Wilberforce, Mr. Case of, Res. 2017
- Parliament—Public Business, 1184, 1330, 1331
- Royal Titles, 3R. 512 ; Notice of Motion, 563
- Royal Titles—The Proclamation, 1574, 1575, 1629, 1632, 1633 ; Motion for Adjournment, 1766, 1778
- Savings Banks and Friendly Societies—Deficiencies, 271
- Supply—Mediterranean Extension Telegraph Company, 337
  - Police, County and Borough, 337
  - Royal Palaces, Motion for reporting Progress, 251
- Women's Disabilities Removal, 2R. 1711

Fay, Mr. C. J., *Cavan Co.*
- Irish Church Temporalities, Motion for Returns, 766
- Supply, Report, 688

Feversham, Earl of
- Royal Titles, Comm. 1078

Folkestone, Viscount, *Wilts, S.*
- Women's Disabilities Removal, 2R. Amendt. 1671

Forbes, Lord
- University of Oxford, Comm. 935

Forster, Sir C., *Walsall*
- Parliament—Privilege—Monastic and Conventual Institutions, 1318, 1319

Forster, Right Hon. W. E., *Bradford*
- Barbadoes—The Riots, 1763
- Education—Queen's Speech, 620
- Merchant Shipping, Comm. 537 ; *cl.* 3, 551, 671, 676, 895 ; *cl.* 14, 1585, 1586 ; *cl.* 15, 1600, 1610, 1612 ; *cl.* 16, 1792 ; *add. cl.* 1929
- Peru—Steamship "Talisman," Crew of the, Motion for a Select Committee, 419, 427
- Royal Titles, Comm. 143, 145, 147, 152 ; *cl.* 1, 281, 302, 303
- Slave Trade (East Africa), Res. 1227

Forsyth, Mr. W., *Marylebone*
- India—Bengal, Office of Advocate General, 68
  - Indian Budget, 1404
- Merchant Shipping, Comm. *cl.* 3, 893
- Parliament—Ladies' Gallery, House of Commons, 584
- Royal Titles, Comm. *cl.* 1, 283, 335
- Women's Disabilities Removal, 2R. 1658, 1741

Fraser, Sir W. A., *Kidderminster*
- Civil Departments (Employment of Soldiers), Motion for a Select Committee, 1997
- Criminal Law—Metropolitan Police—Case of Mr. Palmer, 1462
  - Prison Diet, 877
- Metropolis—Hyde Park—The Serpentine, Res. 1249
- Metropolitan Fire Brigade, Motion for a Select Committee, 365
- Open Spaces (Metropolitan District), Comm. 428
- Parliament—Ladies' Gallery, House of Commons, 589
- Parliament—Public Petitions—Monastic and Conventual Institutions, Motion for Adjournment, 1402
- Parliament—Public Petitions from a Foreign Town—Boulogne-sur-Mer (British Consulate), Res. 1418
- Royal Titles, Comm. 110 ; *cl.* 1, 307
- Royal Titles—The Proclamation, 1775
- Supply—Civil Contingencies Fund, 338
  - Metropolitan Police, 391

Friendly and Building Societies—Fees on Certificates
- Question, Mr. Rylands ; Answer, The Chancellor of the Exchequer *April* 3, 1096

Friendly Societies Act, 1875—*Certificates of Deaths*
- Question, Mr. Ashbury ; Answer, The Chancellor of the Exchequer *Mar* 16, 71 ; Question, Mr. W. Holms ; Answer, The Chancellor of the Exchequer *April* 6, 1325
- *Inland Revenue—Friendly and Building Societies—Fees on Certificates,* Question, Mr. Rylands ; Answer, The Chancellor of the Exchequer *April* 3, 1096

Fugitive Slaves — The New Circular — Coolies
- Question, Observations, Lord Stanley of Alderley ; Reply, The Earl of Derby *Mar* 20, 254

Game Laws Amendment (Scotland) Bill
(*Lord Elcho, Sir Graham Montgomery*)
c. Ordered; read 1ª* *April* 7 [Bill 123]
2R., Debate adjourned *April* 27, 1815

Gas and Water Orders Confirmation Bill [H.L.] (*The Lord Elphinstone*)
l. Presented; read 1ª* *April* 7 (No. 55)

Gas and Water Orders Confirmation (Chapel-en-le-Frith, &c.) Bill [H.L.]
(*The Lord President*)
l. Presented; read 1ª*, and referred to the Examiners *April* 28 (No. 59)

General School of Law Bill [H.L.]
(*The Lord Selborne*)
l. Presented; read 1ª* *April* 3 (No. 48)
Read 2ª, and committed to the Committee on Inns of Court Bill *May* 1

Germany—Prince Bismarck and Count Arnim
Question, Mr. Sullivan; Answer, Mr. Bourke *Mar* 30, 875

Gibson, Mr. E., *Dublin University*
Borough Franchise (Ireland), Res. 736, 737

Gladstone, Right Hon. W. E., *Greenwich*
Parliament — Public Petitions from a Foreign Town — Boulogne-sur-Mer (British Consulate), Res. 1413, 1416
Peru—Steamship "Talisman," Crew of the, Motion for a Select Committee, 422
Royal Titles, Comm. 93, 154; *cl.* 1, 289, 298, 299, 301, 324, 332; 3R. 484, 486, 494, 495

Goldney, Mr. G., *Chippenham*
Ecclesiastical Dilapidations Acts, 1871 and 1872, Motion for a Select Committee, 371
Highway Boards, 967

Goldsmid Mr. J., *Rochester*
Cattle Disease (Ireland), Comm. *cl.* 2, 1037
Henwood, Mr. Charles, Petition of, Res. 344
Merchant Shipping, Comm. *cl.* 6, Motion for reporting Progress, 1160
Metropolis—Hyde Park—The Serpentine, Res. 1250
National School Teachers (Ireland) Act, 1875, Res. 225
Open Spaces (Metropolitan District), Comm. 428
Post Office — Postal Telegraph Department, Res. 172, 224
Royal Titles, Comm. 133
Spain—War Taxes on British Subjects, 1321
Supply—Civil Contingencies Fund, 339

Gordon, Sir A., *Aberdeenshire, E.*
Army—Grocery Rations, Issue of, 626
Mutiny, Comm. *cl.* 107, Amendt. 914
Royal Titles, Comm. *cl.* 1, 296

Gordon, Mr. W., *Chelsea*
Turkey—Loans of 1854 and 1855, 698

Gorst, Mr. J. E., *Chatham*
Greenwich Pensioners in Government Employ, 620
Merchant Shipping, Comm. Amendt. 519, 539; *cl.* 3, 660; *cl.* 5, 1154; *cl.* 6, 1368; *cl.* 9, 1370; *cl.* 11, Amendt. 1371; *cl.* 14, 1586; *cl.* 15, 1599, 1618; *cl.* 16, 1801; *add. cl.* 1921, 1924, 1936, 1946
Merchant Shipping—Stowage, 1478
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  Law and Justice—Wilberforce, Mr., Case of, Res. 2021
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  Royal Titles, Comm. *cl.* 1, 297

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  Court of Session (Scotland), Returns, 1624
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Harcourt, Sir W. G. V.—*cont.*
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- Merchant Shipping, Comm. *cl.* 3, 908; *cl.* 5, 1153; *cl.* 16, 1798
- Navy—Royal Marines, 1523
- Navy Estimates—Coastguard Service—Naval Reserve, &c., 1553
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Henley, Right Hon. J. W., *Oxfordshire*
- Merchant Shipping, Comm. 529; *cl.* 3, 678, 902
- Ways and Means—Income Tax, Res. 1364

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- Felstead School—The Rev. W. Grignon, Dismissal of, 1748

Henry, Mr. Mitchell, *Galway Co.*
- Adulterated Drinks at Fairs, Sale of, &c. (Ireland), 65

Herbert, Mr. H. A., *Kerry Co.*
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- Royal Titles, Comm. 114
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Herschell, Mr. F., *Durham*
- Merchant Shipping, Comm. *cl.* 14, 1586; *cl.* 15, 1618; *cl.* 27, 1916; *add. cl.* 1936
- Peru—Steamship "Talisman," Crew of the, Motion for a Select Committee, 413

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- Elementary Education Act (1870) Amendment, 2R. 1287, 1289

Highways Bill
(*Mr. Sclater-Booth, Mr. Salt*)
- *c.* Motion for Leave (*Mr. Sclater-Booth*) *April* 10, 1554; after short debate, Motion agreed to; Bill ordered; read 1°* [Bill 129]
- *Highway Boards,* Question, Mr. Goldney; Answer, Mr. Sclater-Booth *Mar* 31, 967

Hogg, Lt.-Colonel Sir J. M., *Truro*
- Metropolitan Fire Brigade, Motion for a Select Committee, 361
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Holker, Sir J. (*see* Attorney General The)

Holland, Sir H. T., *Midhurst*
- Merchant Shipping, Comm. *cl.* 3, 905; *cl.* 27, Amendt. 1915, 1917
- Metropolis—University Boat Race—Hammersmith Bridge, 883

Holms, Mr. J., *Hackney*
- Army—Army and Auxiliary Forces—Returns, 1760
- Civil Departments (Employment of Soldiers), Motion for a Select Committee, 1995

Holms, Mr. W., *Paisley*
- Births and Deaths, Registration of—Certificates of Deaths, 1325
- Merchant Shipping, Comm. Amendt. 539; *cl.* 24, 1913
- Peru—Steamship "Talisman," Crew of the, Motion for a Select Committee, 409

Hope, Mr. A. J. Beresford, *Cambridge University*
- Parliament—Ladies' Gallery, House of Commons, 585, 587
- Royal Titles, Comm. 117
- Sweden—Stockholm, British Church at, 1474, 1475

Hopwood, Mr. C. H., *Stockport*
- Merchant Shipping, Comm. 529; *add. cl.* 1941

Houghton, Lord
- Royal Titles, Comm. 1090
- University of Oxford, Comm. *cl.* 12, 939

House Occupiers Disqualification Removal Bill (*Sir Henry Wolff, Sir Charles Russell, Mr. Onslow, Mr. Ryder*)

c. Moved, "That the Bill be now read 2°" *Mar* 22, 465 ; Debate adjourned
  Debate resumed *Mar* 23, 551
  Moved, "That the Debate be now adjourned" (*Mr. Evans*); after short debate, Question put ; A. 76, N. 134 ; M. 58
  Original Question again proposed ; Moved, "That this House do now adjourn" (*Mr. Dillwyn*) ; Question put ; A. 79, N. 122 ; M. 43
  Original Question again proposed ; Moved, "That the Debate be now adjourned" (*Mr. Macdonald*) ; Question put ; A. 76, N. 118 ; M. 42
  Original Question again proposed ; Moved, "That this House do now adjourn" (*Mr. Locke*) ; Question put ; A. 71, N. 106 ; M. 35
  Original Question again proposed ; Moved, "That the Debate be now adjourned" (*Mr. Briggs*) ; Question put, and agreed to ; Debate further adjourned
  Order for resuming Adjourned Debate read *April* 24, 1623
  Moved, "That the Order be discharged" (*Mr. Waddy*) ; after short debate, Motion withdrawn ; debate further adjourned

HUBBARD, Right Hon. J. G., *London*
  Parliament—Public Business—Easter Recess, 1100
  Valuation—Surveyors of Taxes, 1760
  Ways and Means—Financial Statement, 1129
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  Women's Disabilities Removal, 2R. 1727

HUNT, Right Hon. G. W. (First Lord of the Admiralty), *Northamptonshire, N.*
  Agricultural Holdings (England) Act—Greenwich Hospital Estates, 65
  Henwood, Mr. Charles, Petition of, Res. 343
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    Naval Interpreters, 969, 1327
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  Navy Estimates—Admiralty Office, 1550, 1551
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  Parliament—Public Business—Easter Recess, 1100
  Supply—Navy Excess of Expenditure, 341, 342

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  Question, Mr. J. R. Yorke ; Answer, The Chancellor of the Exchequer *April* 10, 1483

INCHIQUIN, Lord
  Irish Peerage, 1R. 169 ; 2R. 1162 ; Comm. *cl.* 2, Amendt. 1894, 1903 ; *cl.* 3, 1904, 1905

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  MISCELLANEOUS QUESTIONS
  Legislation — Presidency Magistrates Bill, Question, Mr. Fortescue Harrison ; Answer, Lord George Hamilton *Mar* 23, 474
  Madras Irrigation Works, Question, Mr. Smollett ; Answer, Lord George Hamilton *Mar* 28, 698
  Majors of Artillery—The Royal Warrant, 1872, Question, Colonel Jervis ; Answer, Mr. Gathorne Hardy *April* 6, 1322 ; Question, Colonel Jervis ; Answer, Lord George Hamilton *April* 25, 1625
  Malay Peninsula—The State of Perak, Question, Mr. Ernest Noel ; Answer, Mr. Bourke *April* 24, 1577
  Office of Advocate General of Bengal, Question, Mr. Forsyth ; Answer, Lord George Hamilton *Mar* 16, 68
  The Ameer of Kashgar, Question, Sir Trevor Lawrence ; Answer, Lord George Hamilton *Mar* 20, 270
  The Council of India—The Indian Tariff Act, Question, Observations, Viscount Halifax ; Reply, The Marquess of Salisbury ; short debate thereon *Mar* 31, 921 ; Observations, The Marquess of Salisbury ; Reply, The Duke of Argyll *April* 7, 1378 ; Question, Mr. Fawcett ; Answer, Lord George Hamilton *April* 10, 1483 ;—*The Correspondence*, Question, General Sir George Balfour ; Answer, Lord George Hamilton *April* 25, 1627
  The Ex-Chiefs of Kirwee, Question, Mr. Gregory ; Answer, Lord George Hamilton *Mar* 23, 477
  The Indian Budget, Question, Mr. Forsyth ; Answer, Lord George Hamilton *April* 7, 1404
  The Indian Civil Service, Question, Mr. Lyon Playfair ; Answer, Lord George Hamilton *Mar* 23, 473

India—The Bengal Famine
  Amendt. on Committee of Supply *April* 28, To leave out from "That," and add "in the opinion of this House, it is desirable that a Select Committee be appointed to inquire into the circumstances of the late famine in India, and into the various systems of relief adopted" (*Mr. Eustace Smith*) v., 1838 ; after long debate, Question put, "That the words, &c. ;" A. 149, N. 46 ; M. 103

[*cont.*

Industrial and Provident Societies Bill
(*Mr. Staveley Hill, Mr. Cowper-Temple, Mr. Rodwell*)
c. Committee *; Report *April* 28 [Bills 68-139]

INGRAM, Mr. W. J., *Boston*
Parliamentary Elections Act, 1868—Boston Election, 350

Inns of Court Bill [H.L.]
(*The Lord Selborne*)
l. Presented; read 1ª* *April* 3 (No. 47)
Read 2ª, after short debate *May* 1, 1892

International Law—Submarine Telegraphs
Question, Mr. E. Noel; Answer, Mr. Bourke *Mar* 23, 476

Intoxicating Liquors (Licensing Law Amendment) Bill
(*Sir Harcourt Johnstone, Mr. Birley, Mr. Pease, Mr. Bell*)
c. Bill withdrawn * *Mar* 30 [Bill 56]

Intoxicating Liquors (Licensing Law Amendment) (No. 2) Bill
(*Sir Harcourt Johnstone, Mr. Birley, Sir John Kennaway, Mr. Pease*)
c. Ordered; read 1° * *Mar* 30 [Bill 116]
Moved, "That the Bill be now read 2°" *April* 28, 1886
Moved, "That the Debate be now adjourned" (*Mr. Onslow*); after short debate, Question put; A. 73, N. 40; M. 33; Debate adjourned

IRELAND
MISCELLANEOUS QUESTIONS
Adulterated Drinks at Fairs, &c., Sale of, Question, Mr. Mitchell Henry; Answer, Sir Michael Hicks-Beach *Mar* 16, 65
Civil Bill Processes, Question, The O'Conor Don; Answer, Sir Michael Hicks-Beach *Mar* 28, 696
Civil Service, The, Question, Mr. Stacpoole; Answer, Mr. W. H. Smith *April* 3, 1099
Clerks of the Peace, Deputy, Question, Mr. Charles Lewis; Answer, Sir Michael Hicks-Beach *April* 3, 1096
Coroner, Office of, Question, Mr. O'Shaughnessy; Answer, Sir Michael Hicks-Beach *Mar* 23, 475
Crime in Ireland—Returns, Question, Mr. Herbert; Answer, Sir Michael Hicks-Beach *Mar* 20, 266
Criminal Law—Kerry Assizes, Question, Mr. Herbert; Answer, Sir Michael Hicks-Beach *Mar* 23, 470
Deeds Office, Registry of—The Report, Question, Mr. M'Carthy Downing; Answer, Mr. W. H. Smith *Mar* 27, 621

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Fisheries Acts—Licences, Question, Mr. Sullivan; Answer, Sir Michael Hicks-Beach *Mar* 28, 695

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Trawling Vessels in Galway Bay, Question, Mr. O'Shaughnessy; Answer, Sir Michael Hicks-Beach *April* 7, 1408

Landed Estates Court—Appointment of a Second Judge, Questions, Dr. Ward, Mr. Callan; Answer, The Solicitor General for Ireland *Mar* 16, 70
Licensing Act (Ireland) 1872—Publicans' Sign-boards, Question, Mr. Sullivan; Answer, Sir Michael Hicks-Beach *Mar* 24, 561

National Education
National Teachers (Ireland) Act, 1875—*Non-Contributory Unions,* Question, Captain Nolan; Answer, Sir Michael Hicks-Beach *May* 2, 1986
"*Results Examination,*" Question, Mr. O'Reilly; Answer, Sir Michael Hicks-Beach *Mar* 23, 473
Teachers' Salaries, Questions, Captain Nolan; Answers, Sir Michael Hicks-Beach *April* 28, 1832; *May* 1, 1910
[See title *Ireland—National School Teachers (Ireland) Act,* 1875]

Parliamentary Boroughs, Question, Mr. Stacpoole; Answer, Mr. Disraeli *May* 1, 1906
Peace Preservation Acts—Proclaimed Districts—Louth, Question, Mr. Callan; Answer, Sir Michael Hicks-Beach *Mar* 20, 271;—*North Riding of Tipperary,* Question, Mr. O'Callaghan; Answer, Sir Michael Hicks-Beach *Mar* 29, 770;—*Co. Mayo,* Question, Mr. O'Connor Power; Answer, Sir Michael Hicks-Beach *April* 28, 1830
[See title *Ireland—Peace Preservation Acts*]
Poor Law—Kilmacthomas Workhouse, Question, Mr. Arthur Moore; Answer, Sir Michael Hicks-Beach *April* 7, 1404
Public Health—City of Dublin, Question, Mr. Butt; Answer, Sir Michael Hicks-Beach *April* 4, 1179; Question, Mr. O'Leary; Answer, Sir Michael Hicks-Beach *May* 1, 1910

Ireland—Borough Franchise
Moved, "That the restricted nature of the Borough Franchise of Ireland as compared with that existing in England and Scotland is a subject deserving the best attention of Parliament, with a view of establishing a fair and just equality of the Franchise in the three Countries" (*Mr. Meldon*) *Mar* 28, 703; after long debate, Question put; A. 166, N. 179; M. 13
Division List, A and N. 763

Ireland—Inland Revenue—Excise—Blending of Irish Whiskey
Moved, "That a Select Committee be appointed to inquire into the practice which has been permitted of late years in mixing Whiskey in Her Majesty's Bonding and Inland Revenue Stores with other spirits; to report to this House whether the practice is injurious to the public and to the manufacturers of Irish Whiskey, and whether, in the opinion of the Committee, the practice ought or ought not to be discontinued; and that the

Ireland—Inland Revenue—Excise—Blending of Irish Whiskey—cont.
Committee do also inquire into the effect of using new made spirits, and to report whether it would be in the interest of the public for the Government to detain all spirits and Whiskey in Bond until it is at least twelve months old" (*Mr. O'Sullivan*) *April* 4, 1185
Amendt. to leave out from "That," and add "in the opinion of this House, the practice of 'blending' Whiskey does not necessarily cause adulteration, and it is inexpedient to deprive traders in British spirits of trade facilities that are allowed to traders in Foreign spirits, wines, and various other bonded articles" (*Mr. Anderson*) *v.*; after debate, Question put, "That the words, &c ;" A. 69, N. 145 ; M. 76
Question proposed, "That the words 'in the opinion of this House, the practice of 'blending' Whiskey does not necessarily cause adulteration, and it is inexpedient to deprive traders in British spirits of trade facilities that are allowed to traders in Foreign spirits, wines, and various other bonded articles,' be added, *v.*;" Amendt. withdrawn

Ireland—Irish Church Temporalities Commissioners
Moved, "That there be laid before this House, Returns of the names of the Valuators who have fixed the amount of the purchase money payable to the Irish Church Temporalities Commissioners on sales by them of the fee-simple to the Tenants holding under them" [with particulars set forth] (*Mr. Fay*) *Mar* 28, 766; after short debate, Motion withdrawn
The Church Funds, Question, Mr. Biggar; Answer, Sir Michael Hicks-Beach *April* 7, 1403

Ireland—Local Government and Taxation of Towns
Select Committee appointed "to inquire into the operation in Ireland of the following Statutes: 9 Geo. 4, c. 82, 3 and 4 Vic. c. 108, and 17 and 18 Vic. c. 103, and the Acts altering and amending the same; and to report whether any and what alterations are advisable in the Law relating to Local Government and Taxation of cities and towns in that part of the United Kingdom" (*Sir Michael Hicks-Beach*) *Mar* 16
Committee nominated *Mar* 31; List of the Committee, 164

Ireland—National School Teachers (Ireland) Act, 1875
Amendt. on Committee of Supply *Mar* 17, To leave out from "That," and add "in the opinion of this House, 'The National School Teachers (Ireland) Act, 1875,' having failed to satisfy the just demands of the Teachers, particularly of those in non-contributory unions, the claims of the Irish National School Teachers deserve the immediate attention of Parliament, with a view of substantially and permanently increasing their salaries, and securing to them pensions upon [*cont.*

Ireland—National School Teachers (Ireland) Act, 1875—cont.
retirement from old age or ill health" (*Mr. Meldon*) *v.*, 225; Question proposed, "That the words, &c.;" after debate, Amendt. withdrawn
Question, Captain Nolan; Answer, Sir Michael Hicks-Beach *May* 2, 1986

Ireland—Peace Preservation (Ireland) Act
Moved, "That this House, while viewing with satisfaction the withdrawal from several counties of Ireland of the proclamations issued under the Peace Preservation Act, is of opinion that the present condition of Ireland does not justify the retention of the powers of that Act over so large a portion of the Country as still remains subject to its provisions" (*Sir Joseph M'Kenna*) *April* 4, 1232; after short debate, Previous Question moved (*Mr. Parnell*); Previous Question put, "That that Question be now put;" resolved in the negative

Irish Peerage Bill [H.L.]
(*The Lord Inchiquin*)
l. Presented; read 1ª *Mar* 17, 169 (No. 32)
Read 2ª, after short debate *April* 4, 1162
Committee *May* 1, 1894

JAMES, Sir H., *Taunton*
Extradition—United States—Case of Winslow, 1909
Merchant Shipping, Comm. *cl.* 3, 547, 550, 891; *cl.* 4, 910; *cl.* 5, 1154, 1156; Amendt. 1157, 1159; *cl.* 14, Amendt. 1374, 1377; Amendt. 1588, 1617; *cl.* 17, 1804; *cl.* 18, 1879; *cl.* 19, 1881; *add. cl.* 1925, 1941, 1948
Peru—Steamship "Talisman," Crew of the, Motion for a Select Committee, 404, 407
Post Office—Female Clerks in the Savings Banks Department, 1179
Royal Titles Act, 1982
Supply—Convict Establishments, England and the Colonies, 592

JAMES, Mr. W. H., *Gateshead*
Liverymen (City of London), Motion for a Return, 1816
Merchant Shipping, Comm. *cl.* 14, 1586
Parliamentary Franchise—Liverymen of London, 1321
Royal Titles, Comm. Motion for Adjournment, 157

Japan—Newspaper Regulations
Questions, Sir Charles W. Dilke; Answers, Mr. Bourke *Mar* 23, 478; *April* 10, 1473

JENKINS, Mr. D. J., *Penryn, &c.*
Merchant Shipping, Comm. 529; *cl.* 3, Amendt. 906, 908; *cl.* 5, 1156; *cl.* 6, 1368; *cl.* 14, 1583; *cl.* 15, 1612; *cl.* 18, 1805, 1809; *add. cl.* 1935
Navy—H.M.S. "Vanguard," 270
Post Office—Telegraphs in Small Towns, 1833

JENKINS, Mr. E., *Dundee*
Canada, Dominion of—Treaty of Washington, 1407, 1408
Copyright Commission, 64
Merchant Shipping, Comm. *cl.* 6, Motion for Adjournment, 1160; *cl.* 14, 1583, 1588; *cl.* 16, Motion for reporting Progress, 1800, 1803; *cl.* 19, Amendt. 1880; *add. cl.* 1938
Parliament, Acts of—Report of Select Committee, Res. 576
Royal Titles, Comm. *cl.* 1, 296
West African Settlements—Cession of the Gambia, 272

JERVIS, Colonel H. J. W., *Harwich*
Army—Royal Artillery (India), 1322
India—Majors of Artillery—Royal Warrant, 1872, 1625

JOHNSTONE, Sir H., *Scarborough*
Intoxicating Liquors (Licensing Law Amendment) (No. 2), 2R. 1886, 1891

Juries Procedure (Ireland) Bill
(*Sir Michael Hicks-Beach, Mr. Solicitor General for Ireland*)
c. Ordered; read 1°* *April* 7 [Bill 126]

Jurors Qualification (Ireland) Bill
(*Sir Michael Hicks-Beach, Mr. Solicitor General for Ireland*)
c. Ordered; read 1°* *April* 7 [Bill 127]

KAVANAGH, Mr. A. M., *Carlow Co.*
National School Teachers (Ireland) Act, 1875, Res. 234

KENEALY, Dr. E. V., *Stoke-upon-Trent*
Merchant Shipping, Comm. *cl.* 3, 657
Tichborne Case—Queen v. Castro—Witnesses, 250

KENNAWAY, Sir J. H., *Devon, E.*
Agricultural Holdings (England) Act—Stamps, 63
Monastic and Conventual Institutions (Great Britain), Res. 982, 1001
Public Health Act, 1875—Local Board Elections, 969
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KIMBERLEY, Earl of
Barbadoes, Island of—Reported Disturbances, 1827
Royal Titles, 2R. 872
University of Oxford, Comm. 821; *cl.* 4, 934; *cl.* 12, 939; *cl.* 14, 944, 945; *cl.* 19, 1308, 1309; *cl.* 33, 1314; *cl.* 35, 1315

KINGSCOTE, Lieut.-Colonel R. N. F., *Gloucestershire, W.*
Army—Forage Allowances, 1835
Lieutenant Colonels of Depôt Battalions, 1836

Kingstown Harbour Bill
(*Mr. William Henry Smith, Mr. Chancellor of the Exchequer*)
c. Considered in Committee; Resolution agreed to, and reported; Bill ordered; read 1°* *April* 26 [Bill 136]

KINNAIRD, Hon. A. F., *Perth*
Church Rates Abolition (Scotland), 2R. 23
Post Office—American Transatlantic Mails, 268

KNATCHBULL-HUGESSEN, Right Hon. E. H., *Sandwich*
Public Schools Act, 1868, Res. 1420, 1449
South Eastern Railway, 2R. 60

LAING, Mr. S., *Orkney, &c.*
Church Rates Abolition (Scotland), 2R. 24
Royal Titles, Comm. 115
Ways and Means—Financial Statement, 1131

Land Tenure (Ireland) Bill
(*Dr. Ward, Mr. Butt, Mr. Richard Smyth, Mr. Meldon, Mr. Ennis*)
c. Moved, "That the Bill be now read 2°" *Mar* 29, 771 [Bill 10]
Amendt. to leave out "now," and add "upon this day six months" (*Mr. Clive*); Question proposed, "That 'now,' &c."
After long debate, Moved, "That the Debate be now adjourned" (*Mr. Law*); Debate adjourned
Observations, Mr. Butt; Reply, Mr. Disraeli; short debate thereon *April* 11, 1559

LANSDOWNE, Marquess of
Metropolis—Hyde Park—The Serpentine, 1393
University of Oxford, Comm, *cl.* 6, Amendt. 937; *cl.* 15, Amendt. 947, 954; *cl.* 16, 1306; *cl.* 25, 1312
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LAW, Right Hon. H., *Londonderry Co.*
Land Tenure (Ireland), 2R. 818
National School Teachers (Ireland) Act, 1875, Res. 234

LAW AND JUSTICE
MISCELLANEOUS QUESTIONS
Irish Ante-Union Statutes, Question, Mr. P. Smyth; Answer, The Solicitor General for Ireland *May* 1, 1911
"*Kimberley v. Crossley*" — *Costs*, Question, Mr. Serjeant Sherlock; Answer, The Attorney General *Mar* 31, 964
Responsibility of Trustees—Edmunds v. Edmunds, Question, Observations, The Earl of Belmore; Reply, The Lord Chancellor *April* 4, 1176

Law and Justice—Case of Mr. Wilberforce
Moved, "That, in the opinion of this House, it is not desirable that Reginald Garton Wilberforce, esquire, should continue on the Bench of Magistrates" (*Mr. P. A. Taylor*) *May* 2, 2008; after debate, Question put; A. 19, N. 100; M. 81

Lawrence, Lord
Council of India (Professional Appointments), 2R. 166
Royal Titles, 2R. 847 ; Comm. 1091

Lawrence, Sir T., *Surrey, Mid.*
China—Yunnan Mission, 1479
Dog Poisoning, 1635
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Lawson, Sir W., *Carlisle*
Inland Revenue—Excise—Blending of Irish Whiskey, Motion for a Select Committee, 1200, 1208

Leatham, Mr. E. A., *Huddersfield*
Women's Disabilities Removal, 2R.* 1675, 1688, 1692

Lefevre, Mr. G. J. Shaw, *Reading*
Church Bodies (Gibraltar)—The Ordinances, Motion for an Address, 769
Merchant Shipping, Comm. 525 ; *cl.* 3, 549, 650, 901 ; *cl.* 4, 910, 911 ; *cl.* 5, 1153, 1159 ; *cl.* 9, 1370 ; *cl.* 14, 1375 ; *cl.* 15, 1598, 1614 ; *cl.* 16, 1795 ; *cl.* 19, 1881 ; *cl.* 24, 1913 ; *cl.* 28, 1918 ; *add. cl.* 1928, 1947
Navy Estimates—Seamen and Marines, 1528, 1548
Supply—Civil Contingencies Fund, 338
Navy Excess of Expenditure, 341

Legard, Sir C., *Scarborough*
Women's Disabilities Removal, 2R. 1729

Leigh, Lieut.-Colonel Egerton, *Cheshire, Mid*
Monastic and Conventual Institutions (Great Britain), Res. 1002
Public Health—Quack Medicines, 269
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Leith, Mr. J. F., *Aberdeen*
Post Office—India, Postage to, 351

Lewis, Mr. C. E., *Londonderry*
Army—Londonderry Militia, 1484
Borough Franchise (Ireland), Res. 718
Deputy Clerks of the Peace (Ireland), 1096
Merchant Shipping, Comm. *add. cl.* 1948
National School Teachers (Ireland) Act, 1875, Res. 231
Parliament—Privilege—Monastic and Conventual Institutions, 1318
Privy Council (Oaths taken by Members, &c.), Address for Returns, 2023, 2029, 2030, 2039
Royal Titles, 1757 ;—The Proclamation, 1765
Ways and Means—Financial Statement, 1135
Ways and Means—Income Tax, Res. Amendt. 1354

Licensing Act, 1872—*Burial Clubs*
Questions, Mr. H. B. Sheridan ; Answers, Mr. Assheton Cross *Mar* 30, 880 ; *April* 3, 1099

Limerick, Earl of
Irish Peerage, Comm. *cl.* 2, 1896 ; *cl.* 6, 1906

Liverymen (City of London)—See title *Parliamentary Franchise*

Lloyd, Mr. M., *Beaumaris*
Merchant Shipping, Comm. *cl.* 14, 1589 ; *cl.* 15, 1613 ; *cl.* 19, 1880 ; *add. cl.* 1941
Owners of Land (England)—New "Domesday Book," 1577
Royal Titles, Comm. 156

Lloyd, Mr. S. S., *Plymouth*
Church Bodies (Gibraltar)—The Ordinances, Motion for an Address, 769
Divine Worship Facilities, 2R. 44
Navy—Royal Marines, 1518
Supply—Embassies and Missions Abroad, 1468
Ways and Means—Income Tax, Res. 1343

Local Government Provisional Order, Skelmersdale (No. 5) Bill
(*Mr. Salt, Mr. Sclater-Booth*)
c. Ordered ; read 1° * *April* 26 [Bill 135]
Read 2° * *April* 28

Local Government Provisional Orders Bill (*Mr. Salt, Mr. Sclater-Booth*)
c. Read 2° * *Mar* 20 [Bill 102]
Committee * ; Report *April* 3
Read 3° * *April* 6
l. Read 1ª * (*The Lord President*) *April* 7 (No. 54)

Local Government Provisional Orders (No. 2) Bill
(*Mr. Salt, Mr. Sclater-Booth*)
c. Ordered * *April* 6
Read 1° * *April* 7 [Bill 122]
Read 2° * *April* 10
Committee * ; Report *April* 24
Read 3° * *April* 27
l. Read 1ª * (*The Earl of Jersey*) *April* 28 (No. 62)

Local Government Provisional Orders (No. 3) Bill
(*Mr. Salt, Mr. Sclater-Booth*)
c. Ordered ; read 1° * *April* 7 [Bill 125]
Read 2° * *April* 10
Committee * ; Report *April* 24
Read 3° * *April* 27
l. Read 1ª * (*The Earl of Jersey*) *April* 28 (No. 63)

Local Government Provisional Orders, Briton Ferry, &c. (No. 4) Bill
(*Mr. Salt, Mr. Sclater-Booth*)
c. Ordered ; read 1° * *April* 26 [Bill 134]
Read 2° * *April* 28

Locke, Mr. J., *Southwark*
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Channel Islands—Jersey, Royal Court of, 964
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Lopes, Sir M., *Devonshire, S.*
- Greenwich Pensioners in Government Employ, 621
- Navy Estimates—Admiralty Office, 1551

Lowe, Right Hon. R., *London University*
- Egypt—Mr. Cave's Mission, 567
- Egyptian Finance—Mr. Cave's Report, 74
- Parliament—Public Petition from a Foreign Town—Boulogne-sur-Mer—British Consulate), Res. 1417
- Privy Council (Oaths taken by Members, &c.), Address for Returns, 2031
- Royal Titles, Comm. 92 ; *cl.* 1, 285 ; 3R. 513

Lowther, Mr. J. (Under Secretary of State for the Colonies), *York City*
- Aliens' Order in Council, 1873—Gibraltar, 1832
- Barbadoes—Alleged Riots, 1628, 1834
  - Flogging in, 1323
- Church Bodies (Gibraltar)—The Ordinances, 66 ; Motion for an Address, 768
- Marriage with a Deceased Wife's Sister, 352
- Mercantile Marine—Burglaries at Sea, 1835
- Newfoundland Fisheries, 1178
- River Gambia, Res. 2005
- West African Settlements—Cession of the Gambia, 272
- Windward Islands—Federation, 1178

Lowther, Mr. W., *Westmoreland*
- Metropolis—Hyde Park—The Serpentine, Res. 1248

Lubbock, Sir J., *Maidstone*
- Royal Titles—Proclamation, 1774

Lusk, Sir A., *Finsbury*
- Consolidated Fund, 3R. 566
- Merchant Shipping, Comm. *cl.* 3, 549, 900 ; *cl.* 5, 1155 ; *cl.* 15, 1602 ; Amendt. 1616 ; *cl.* 16, 1802 ; *cl.* 18, 1805 ; *add. cl.* 1935
- Navy Estimates—Admiralty Office, 1551
  - Seamen and Marines, 1548

McArthur, Mr. Alderman W., *Lambeth*
- River Gambia, Res. 1998, 2007

McArthur, Mr. A., *Leicester*
- Burial Service—Church of England, 881
- Elementary Education Act (1870) Amendment, 2R. 1286
- Post Office—Channel Islands—Alderney, 1323

MacCarthy, Mr. J. G., *Mallow*
- Land Tenure (Ireland), 2R. 797
- Monastic and Conventual Institutions (Great Britain), Res. 973, 974

Macdonald, Mr. A., *Stafford*
- Explosive Substances Act, 1875—Dynamite, Explosion of, in South Wales, 1831
- Factory Acts—Bleachworks and Dyeworks, 1098
- House Occupiers Disqualification Removal, 2R. Motion for Adjournment, 552
- Merchant Shipping, Comm. 536 ; *cl.* 3, 680 ; *cl.* 15, Motion for reporting Progress, 1619 ; *cl.* 16, 1802 ; *cl.* 24, 1914
- Poor Law Amendment, Comm. 1470
- Publicans Certificates (Scotland), Comm. *cl.* 4, 1810
- Supply—Embassies and Missions Abroad, 1467

MacGregor, Mr. D. R., *Leith, &c.*
- Merchant Shipping, Comm. 536 ; *cl.* 3, 907 ; *cl.* 5, 1154, 1158 ; *cl.* 18, 1804, 1809
- Peru—Steamship "Talisman," Crew of the, Motion for a Select Committee, 424

Mac Iver, Mr. D., *Birkenhead*
- Merchant Shipping, Comm. 535 ; *cl.* 3, Amendt. 544, 550, 665, 893, Motion for reporting Progress, 909 ; *cl.* 5, 1152 ; Amendt. 1159 ; *cl.* 14, 1376, 1585, 1587, 1588 ; *cl.* 15, 1592, 1604, 1614, 1616, 1621 ; *cl.* 16, 1794 ; *cl.* 19, 1881 ; *cl.* 27, 1917 ; *add. cl.* 1929, 1947

McKenna, Sir J. N., *Youghal*
- Borough Franchise (Ireland), Res. 717
- Coast and Deep Sea Fisheries (Ireland), 2R. 440
- Inland Revenue—Excise—Blending of Irish Whiskey, Motion for a Select Committee, 1212
- Merchant Shipping, Comm. *cl.* 3, 549 ; Motion for Adjournment, 686, 908 ; *cl.* 5, 1156 ; *cl.* 14, Motion for reporting Progress, 1376, 1377
- Peace Preservation (Ireland) Act, Res. 1232, 1237, 1247
- Supply—Embassies and Missions Abroad, 1468

Mackintosh, Mr. C. F., *Inverness, &c.*
- Elementary Education (Scotland) Act—Scotch Education Code, 1876, 1406

McLagan, Mr. P., *Linlithgowshire*
- Explosive Substances Act, 1875—Railway Companies Bye-Laws, 879
- Inland Revenue—Excise—Blending of Irish Whiskey, Motion for a Select Committee, 1200
- Metropolitan Fire Brigade, Motion for a Select Committee, 368

McLaren, Mr. D., *Edinburgh*
- Church Rates Abolition (Scotland), 2R. 8, 31, 36, 41
- Civil Service—Writers at Customs Out-Ports, 963
- Poor Law Amendment, Comm. 1470
- Poor Law (Scotland)—Medical Relief, 1483
- Post Office—Blue Books, Postage of, 1324, 1408
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Malay Peninsula—The State of Perak
- Question, Mr. Noel ; Answer, Mr. Bourke *April* 24, 1577

MALMESBURY, Earl of (Lord Privy Seal)
Agricultural Holdings (Scotland), 2R. 1382

Manchester Post Office Bill
(*Mr. William Henry Smith, Lord John Manners*)
c. Considered * *Mar* 15 [Bill 100]
Read 3° * *Mar* 16
l. Read 1ª * (*Lord President*) *Mar* 17 (No. 33)
Read 2ª * *Mar* 24
Committee * ; Report *Mar* 27
Read 3ª * *Mar* 28
Royal Assent *April* 7 [39 *Vict.* c. iv]

MANNERS, Right Hon. Lord J. J. R. (Postmaster General), *Leicestershire, N.*
Monastic and Conventual Institutions (Great Britain), Res. 1033
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Post Office—Postal Telegraph Department, Res. 214

Marine Mutiny Bill
(*Mr. Raikes, Mr. Hunt, Mr. Algernon Egerton*)
c. Read 1° * *Mar* 20
Read 2° * *Mar* 24
Committee * ; Report *Mar* 30
Considered * *Mar* 31
Read 3° * *April* 3
l. Read 1ª * (*The Lord Privy Seal*) *April* 3
Read 2ª *; Committee negatived; read 3ª *April* 4
Royal Assent *April* 7 [39 *Vict.* c. 9]

Market Juries (Ireland) Bill
(*Sir Colman O'Loghlen, Mr. Maurice Brooks, Mr. Patrick Martin*)
c. Ordered ; read 1° * *Mar* 30 [Bill 117]

Marriage Law Amendment
Question, Observations, Lord Chelmsford ; Reply, The Lord Chancellor *Mar* 27, 609

Marriage with a Deceased Wife's Sister
Question, Sir Thomas Chambers ; Answer, Mr. J. Lowther *Mar* 21, 352

Marriages (Saint James, Buxton) Bill
(*The Lord Steward*)
l. Royal Assent *Mar* 17 [39 *Vict.* c.i]

MARTIN, Mr. P. W., *Rochester*
Elementary Education Act (1870) Amendment, 2R. 1279
Merchant Shipping, Comm. *cl.* 27, 1918

MELDON, Mr. C. H., *Kildare*
Borough Franchise (Ireland), Res. 703
Cattle Diseases (Ireland), Comm. *cl.* 2, Motion for reporting Progress, 1037, 1471
House Occupiers Disqualification Removal, 2R. 554
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National School Teachers (Ireland) Act, 1875, Res. 246

MELLOR, Mr. T. W., *Ashton-under-Lyne*
Ways and Means—Financial Statement, 1143

Mercantile Marine
MISCELLANEOUS QUESTIONS
Burglaries at Sea, Question, Captain Pim ; Answer, Mr. J. Lowther *April* 28, 1835
Decision at Thames Police Court — The "Locksley Hall," Question, Mr. Bates ; Answer, Mr. Assheton Cross *April* 28, 1837
Lighthouses, Question, Mr. Evelyn Ashley ; Answer, Mr. Disraeli *Mar* 23, 469
Merchant Seamen Deserters, Question, Captain Pim ; Answer, Mr. Bourke *May* 1, 1909

Merchant Shipping Acts
Foreign Laws respecting Stowage, Question, Mr. Gorst ; Answer, Sir Charles Adderley *April* 10, 1478
Unseaworthy Ships, Question, Mr. Stacpoole ; Answer, Sir Charles Adderley *Mar* 23, 472

Merchant Shipping Bill (*Mr. Raikes, Sir Charles Adderley, Mr. Edward Stanhope*)
c. Order for Committee read ; Moved, "That Mr. Speaker do now leave the Chair" *Mar* 23, 519
Amendt. to leave out from "That," and add "in the opinion of this House, the Merchant Shipping Acts should be so amended that the breach of a contract of service not involving danger to life or injury to the ship on the part of a seaman should be no longer punishable with imprisonment and forfeiture, and should no longer render such seaman liable to be arrested without warrant within the United Kingdom" (*Mr. Gorst*) *v.* ; Question proposed, "That the words, &c. ;" after debate, Amendt. withdrawn
Amendt. to leave out from "That," and add "greater facilities and encouragement should be given to the engagement and training of apprentices by shipowners" (*Mr. William Holms*) *v.*, 539 ; Question proposed, "That the words, &c. ;" after short debate, Amendt. withdrawn
Main Question, "That Mr. Speaker, &c.," put, and agreed to ; Committee—R.P. [Bill 49]
Committee—R.P. *Mar* 27, 627

[cont.

Merchant Shipping Bill—cont.
Committee—R.P. *Mar* 30, 884
Committee—R.P. *April* 3, 1147
Committee—R.P. *April* 6, 1367
Committee—R.P. *April* 24, 1580
Committee—R.P. *April* 27, 1779
Committee—R.P. *April* 28, 1879
Committee—R.P. *May* 1, 1913

METROPOLIS
MISCELLANEOUS QUESTIONS
Hyde Park—The Serpentine, Question, Mr. Pease; Answer, Mr. W. H. Smith *Mar* 23, 479; Question, Mr. Adam; Answer, Mr. W. H. Smith *Mar* 31, 969; Question, The Marquess of Lansdowne; Answer, The Duke of Richmond and Gordon *April* 7, 1393
[See title *Metropolis—Hyde Park—The Serpentine*]
Metropolitan Improvements Models, Question, Lord Elcho; Answer, Mr. W. H. Smith *Mar* 21, 350
Northumberland Avenue, Question, Viscount Templetown; Answer, The Duke of Richmond and Gordon *April* 7, 1394
Street Accidents from Vans, &c., Question, Sir Patrick O'Brien; Answer, Mr. Assheton Cross *April* 10, 1482
Street Traffic—Hyde Park Corner, Question, Sir H. Drummond Wolff; Answer, Mr. W. H. Smith *Mar* 21, 352
The University Boat Race—Hammersmith Bridge, Question, Sir Henry Holland; Answer, Mr. Assheton Cross *Mar* 30, 883
[See title *Toll Bridges* (*River Thames*)]

Metropolis—Hyde Park—The Serpentine
Moved, "That the mounds at present being erected on the south of the Serpentine are unsightly, and will, when planted, be detrimental to the picturesque character of Hyde Park, and ought to be removed" (*Mr. Pease*) *April* 4, 1247; after short debate, Debate adjourned
Debate resumed *April* 27, 1815; after short debate, Motion withdrawn

Metropolis Gas Companies Bill
(*Sir James Hogg, Sir Andrew Lusk, Mr. Goldney*)
c. 2R. *Mar* 24, 597 [House counted out] [Bill 28]

Metropolitan Fire Brigade
Moved, "That a Select Committee be appointed to inquire into the constitution, efficiency, emoluments, and finances of the Metropolitan Fire Brigade" (*Mr. Ritchie*) *Mar* 21, 353
After short debate, Amendt. to add, at end "and into the most efficient means of providing further security from loss of life and property by fire in the metropolis" (*Mr. Assheton Cross*), 307; Question, "That those words be there added," put, and agreed to; main Question, as amended, put, and agreed to
Ordered, That a Select Committee, &c.; Committee nominated *Mar* 31; List of the Committee, 371

MIDLETON, Viscount
Irish Peerage, Comm. *cl.* 2, 1898
Royal Titles, Comm. 1074
University of Oxford, Comm. 928

MILLS, Mr. A., *Exeter*
Parliament, Acts of—Report of Select Committee, Res. 571
Royal Titles, Comm. *cl.* 1, 308; 3R. 484
Slave Trade—Sultan of Zanzibar, 72

MINTO, Earl of
Church of Scotland (Election of Ministers), Motion for Returns, 1384
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Monastic and Conventual Institutions Bill
(*Mr. Newdegate, Mr. Holt, Sir Thomas Chambers*)
c. Bill withdrawn* *Mar* 29 [Bill 24]

Monastic and Conventual Institutions (*Great Britain*)
Amendt. on Committee of Supply *Mar* 31, To leave out from "That," and add "it is inexpedient that an inquiry be undertaken as to the number, rate of increase, character, and present position, in relation to the Law, of Monastic and Conventual Institutions in Great Britain" (*Sir Thomas Chambers*) *v.*, 970; Question proposed, "That the words, &c.;" after long debate, Question put; A. 127, N. 87; M. 40

MONK, Mr. C. J., *Gloucester City*
Ecclesiastical Dilapidations Acts, 1871 and 1872, Motion for a Select Committee, 373
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Offences against the Person, Comm. 1623
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MONTAGU, Right Hon. Lord R., *Westmeath*
Borough Franchise (Ireland), Res. 737
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Customs Acts, Consolidation of, 1578
Parliament — Public Petition from a Foreign Town — Boulogne-sur-Mer (British Consulate), Res. 1418, 1485
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MONTGOMERY, Sir G. G., *Peeblesshire*
Church Rates Abolition (Scotland), 2R. 27

Moore, Mr. A. J., *Clonmel*
- Army—The Guards—Special Allowances, 968; —Stock-Purse Fund Allowances, 1626, 1762
- Monastic and Conventual Institutions (Great Britain), Res. 1001
- Poor Law (Ireland)—Kilmacthomas Workhouse, 1404

Morgan, Mr. G. Osborne, *Denbighshire*
- Burial Services—Dore Burial Case, 469, 470, 966
- Offences against the Person, Comm. 1623
- Parliament—Ladies' Gallery, House of Commons, 587
- Royal Titles, Comm. *cl.* 1, Amendt. 294, 1984

Morley, Earl of
- University of Oxford, Comm. *cl.* 4, Amendt. 932; *cl.* 12, Amendt. 938; *cl.* 14, 943; *cl.* 16, 960; Amendt. 1306, 1307; *cl.* 25, Amendt. 1311; Report, *cl.* 16, 1951; *add. cl. ib.*

Morley, Mr. S., *Bristol*
- Elementary Education Act (1870) Amendment, 2R. 1269

Mowbray, Right Hon. J. R., *Oxford University*
- Parliament — Private Bill Committees — Referees—Instruction, Res. 613

Mulholland, Mr. J., *Downpatrick*
- Borough Franchise (Ireland), Res. 727
- Tenant Right at the Expiration of Leases (Ireland), 2R. 2040

Mundella, Mr. A. J., *Sheffield*
- Elementary Education Act (1870) Amendment, 2R. 1273, 1299
- House Occupiers Disqualification Removal, 2R. 544
- Merchant Shipping, Comm. 535; *cl.* 15, 1604, 1621; *cl.* 16, 1803; *add. cl.* 1948
- Parliament—Public Petitions—Monastic and Conventual Institutions, 1398
- Royal Titles Proclamation, 1775
- Ways and Means—Financial Statement, 1138

Municipal Corporations (England and Wales)
- *Lostwithiel*, Explanation, Sir Charles W. Dilke *Mar* 15, 1
- *A Royal Commission*, Question, Mr. Tremayne; Answer, Mr. Assheton Cross *Mar* 23, 479

Muntz, Mr. P. H. *Birmingham*
- Merchant Shipping, Comm. *cl.* 27, 1916, 1917
- Royal Titles, Comm. *cl.* 1, 316, 323
- Ways and Means—Income Tax, Res. 1352

Murphy, Mr. N. D., *Cork City*
- Admiralty Jurisdiction (Ireland), 2R. 1886
- Merchant Shipping, Comm. *cl.* 23, Amendt. 1884

Mutiny Bill (*Mr. Raikes, Mr. Secretary Hardy, The Judge Advocate*)
- *c.* Read 2° * *Mar* 24
- Committee—R.P. *Mar* 27, 688
- Committee; Report *Mar* 30, 912
- Considered *Mar* 31, 1035
- Read 3° * *April* 3
- *l.* Read 1ª * (*Earl Cadogan*) *April* 3
- Read 2ª *; Committee negatived; read 3ª *April* 4
- Royal Assent *April* 7 [39 *Vict.* c. 6]

Naghten, Mr. A. R., *Winchester*
- Civil Service—Writers, Lower Division of, 472
- Criminal Law—Quarter Sessions—Juries' Summons, 1576
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- Question, Mr. Coope; Answer, Mr. W. H. Smith *Mar* 17, 170

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- *Anchors*, Question, Mr. Bentinck; Answer, Mr. Hunt *April* 10, 1479
- *Anchors and Cables—The "Victoria and Albert"—The "Serapis,"* Questions, Captain Pim; Answers, Mr. Hunt *Mar* 24, 562; *Mar* 31, 964
- *Arrest of Seamen—Leave-Breaking*, Question, Mr. P. A. Taylor; Answer, Mr. Hunt *May* 1, 1907
- *Condemned Ships*, Question, Captain Pim; Answer, Mr. Hunt *Mar* 20, 268
- *Greenwich Pensioners in Government Employ*, Question, Mr. Gorst; Answer, Sir Massey Lopes *Mar* 27, 620
- *H.M.S. "Vanguard,"* Question, Mr. David Jenkins; Answer, Mr. Hunt *Mar* 20, 270
- *Lowering Ships' Boats*, Question, Mr. T. E. Smith; Answer, Mr. Hunt *Mar* 20, 268
- *Naval Cadet College—Milford Haven*, Question, Mr. E. J. Reed; Answer, Mr. Hunt *Mar* 30, 878
- *Naval Interpreters*, Questions, Mr. Hanbury Tracy; Answers, Mr. Hunt *Mar* 31, 968; *April* 6, 1327
- *Naval Officers holding Civil Appointments*, Question, Mr. Stacpoole; Answer, Mr. Hunt *April* 28, 1829
- *Royal Naval Engineers*, Question, Major Beaumont; Answer, Mr. Hunt *Mar* 16, 68
- *The Detached Squadron*, Question, Mr. Hanbury Tracy; Answer, Mr. Hunt *Mar* 17, 171
- *The Reserve Forces—Captains in the Royal Marine Artillery*, Question, Colonel Naghten; Answer, Mr. Hunt *Mar* 16, 67
- *The Royal Marines*, Observations, Mr. Sampson Lloyd; short debate thereon *April* 10, 1518
- *Torpedoes—Captain Harvey*, Question, Captain G. E. Price; Answer, Mr. Hunt *Mar* 24, 563

Navy—Navigation of Her Majesty's Ships
Moved, "That, in the opinion of this House, it having been determined gradually to abolish the system of employing a separate and distinct branch of officer for navigating duties, it is desirable that greater encouragement and a more extended training than at present adopted should be given to the officers of the Fleet to obtain practical experience in surveying, pilotage, and navigation ; and that in carrying out the intended change due regard should be paid to the position and prospects of existing class of navigating officers" (*Mr. Hanbury Tracy*) *April* 25, 1635
Amendt. to leave out from "That," and add "considering the greatly increased value of Her Majesty's ships of late years, and the importance of providing for their safe navigation, this House is of opinion that the training and instruction, as well as the position of navigating officers, demands serious attention, but that the abolition of a separate and distinct class of officers to perform these duties is a step which can only be approached with extreme caution and under a sense of the gravest responsibility" (*Captain Price*) *v.* ; Question proposed, "That the words, &c. ;" after short debate, House counted out

Navy—The Collision of the "Alberta" and the "Mistletoe"
Report of Court of Inquiry, Questions, Mr. Goschen, Mr. Anderson ; Answers, Mr. Hunt *April* 7, 1409 ; Questions, Mr. Watkin Williams, Sir Robert Peel ; Answers, Mr. Hunt *April* 10, 1476
Amendt. on Committee of Supply *April* 10, To leave out from "That," and add "as the Officers appointed by the Admiralty to inquire into the circumstances attending the collision between the 'Alberta' and the 'Mistletoe' appear to have reported, and the Board of Admiralty by compensations have practically acknowledged that those in charge of the 'Alberta' were in the wrong, Her Majesty's Government ought, when life had been lost through that wrong, to have taken further steps to vindicate public justice" (*Mr. Anderson*) *v.*, 1486 ; after short debate, Question put, "That the words, &c. ;" A. 157, N. 65 ; M. 92
The Coroner's Jury, Questions, Mr. Anderson, Sir John Scourfield ; Answer, Mr. Assheton Cross *April* 27, 1761

Neville-Grenville, Mr. R., *Somersetshire, Mid*
Royal Titles, 3R. 482

Newdegate, Mr. C. N., *Warwickshire, N.*
Church Bodies (Gibraltar)—The Ordinances, Motion for an Address, 769
Consolidated Fund, 3R. 566
Monastic and Conventual Institutions (Great Britain), Res. 1002, 1017
Parliament — Privilege — Irregular Petitions, 1317, 1320, 1398, 1400, 1401, 1402, 1558, 1559, 1633
[*cont.*

Newdegate, Mr. C. N.—*cont.*
Public Schools Act, 1868, Res. 1446
Royal Titles, Comm. *cl.* 1, Amendt. 303, 306, 308 ; 3R. 509
Women's Disabilities Removal, 2R. 1695

Newfoundland Fisheries, The
Question, Captain G. E. Price ; Answer, Mr. J. Lowther *April* 4, 1177

Noel, Mr. E., *Dumfries, &c.*
Church Rates Abolition (Scotland), 2R. 39
India — Malay Peninsula — Perak, State of, 1577
International Submarine Telegraphs, 476
Royal Titles, Comm. 156, 158

Nolan, Captain J. P., *Galway Co.*
Army—Irish Militia Regiments, 1627
  Royal Artillery—Lieutenant Colonels, 1098
Church Bodies (Gibraltar)—The Ordinances, Motion for an Address, 769
Land Tenure (Ireland), 2R. 796
Merchant Shipping, Comm. *add. cl.* 1948
Mutiny, Consid. Amendt. 1035, 1036
National Education (Ireland)—Teachers' Salaries, 1832, 1910
National School Teachers (Ireland) Act, 1875, Res. 237 ;—Non-Contributory Unions, 1986
Parliament — Privilege — Irregular Petitions, 1634
Peru—Steamship "Talisman," Crew of the, Motion for a Select Committee, 424
Supply—Civil Contingencies Fund, Amendt. 339
  Revenue Departments, Motion for Adjournment, 1877
Ways and Means—Income Tax, Res. 1364
Woolwich Arsenal, 1462

North, Lieut-Colonel J. S., *Oxfordshire*
Navy—Royal Marines, 1524
Public Schools Act, 1868, Res. 1446

Northcote, Right Hon. Sir S. H. (*see* Chancellor of the Exchequer)

Northumberland, Duke of
Sulphurous Acid, &c., Address for a Royal Commission, 600

Norwood, Mr. C. M., *Kingston-upon-Hull*
Merchant Shipping, Comm. *cl.* 3, 548, 667, 901 ; *cl.* 4, Amendt. 909, 910 ; *cl.* 5, 1156, 1159 ; *cl.* 6, 1160 ; *cl.* 9, 1369 ; *cl.* 14, 1584, 1589 ; *cl.* 15, 1619 ; *cl.* 16, 1793 ; *cl.* 18, 1804 ; Amendt. 1806, 1809 ; *cl.* 27, 1918 ; *cl.* 30, 1920 ; *add. cl.* 1926, 1939, 1942, 1943
Post Office — Postal Telegraph Department, Res. 204

Notices to QuitIrleand) Bill
(*Sir Colman O'Loghlen, Mr. Downing, Mr. Patrick Martin*)
c. Ordered ; read 1° * *Mar* 27 [Bill 114]

O'Brien, Sir P., *King's Co.*
Inland Revenue—Excise—Blending of Irish Whiskey, Motion for a Select Committee, 1205
Land Tenure (Ireland), 2R. 1561
Metropolis—Street Accidents to Vans, &c. 1482
National School Teachers (Ireland) Act, 1875, Res. 239
Parliament—Ladies' Gallery, House of Commons, 588
Peace Preservation (Ireland) Act, Res. 1243

O'Callaghan, Hon. W. F. O., *Tipperary Co.*
Constabulary (Ireland)—North Riding of Tipperary, 770

O'Conor Don, The, *Roscommon Co.*
Civil Bill Processes (Ireland), 696

O'Conor, Mr. D. M., *Sligo Co.*
Civil Service—Order in Council—Clause 12, 1759

O'Donoghue, The, *Tralee*
Land Tenure (Ireland), 2R. 805

Offences against the Person Bill
(*Mr. Charley, Mr. Whitwell*)
c. Committee *—r.p. *April* 6 [Bill 1]
Committee—r.p. *April* 24, 1622

O'Gorman, Major P., *Waterford*
Supply, Report, 588

O'Hagan, Lord
Irish Peerage, Comm. *cl.* 2, 1902
Supreme Court of Judicature (Ireland), 1R. 56 ; 2R. 1301

O'Leary, Dr. W. H., *Drogheda*
Army Medical School, 882
Monastic and Conventual Institutions (Great Britain), Res. 1003
Public Health (Ireland)—City of Dublin, 1910

Onslow, Mr. D. R., *Guildford*
House Occupiers Disqualification Removal, 2R. 554
India—Bengal Famine, Motion for a Select Committee, 1856
Intoxicating Liquors (Licensing Law Amendment) (No. 2), 2R. Motion for Adjournment, 1888
Parliament—Privilege—Monastic and Conventual Institutions, 1319
Royal Titles, 3R. 486

Open Spaces (Metropolitan District) Bill
(*Mr. Whalley, Sir George Bowyer*)
c. Read 2° * *Mar* 15 [Bill 86]
Committee *—r.p. *Mar* 17
Committee *Mar* 21, 427 ; Moved, "That the Chairman do now leave the Chair" (*Sir Charles W. Dilke*); after short debate, Question put ; A. 45, N. 29 ; M. 16 [No Report]

Oranmore and Browne, Lord
Agricultural Holdings (Scotland), 2R. 1383
Irish Peerage, 2R. 1172

Ordnance Survey—Superannuations
Question, Sir Frederick Perkins ; Answer, Mr. W. H. Smith *April* 10, 1481

O'Reilly, Mr. M. W., *Longford Co.*
Education (Ireland)—"Results Examination," 473
Merchant Shipping, Comm. *cl.* 3, 548
Monastic and Conventual Institutions (Great Britain), Res. 985
National School Teachers (Ireland) Act, 1875, Res. 241
Supply—Civil Contingencies Fund, 339

O'Shaughnessy, Mr. R., *Limerick*
Army—Militia Adjutants, 1759
Borough Franchise (Ireland), Res. 730
Cattle Disease (Ireland), Comm. *cl.* 2, 1037
Coroner, Office of (Ireland), 475
Customs—Out-Door Officers at Outports, 1478
Fisheries (Ireland)—Trawling Vessels in Galway Bay, 1408
Parliament—Privilege—Monastic and Conventual Institutions, 1320
Poor Law Amendment, Comm. 1470
Royal Titles, Comm. 112
Supply—Civil Contingencies Fund, 340

O'Sullivan, Mr. W. H., *Limerick Co.*
Inland Revenue—Excise—Blending of Irish Whiskey, Motion for a Select Committee, 1185, 1215

Owners of Land (England) — The New "Domesday Book"
Question, Mr. Morgan Lloyd ; Answer, Mr. Sclater-Booth *April* 24, 1577 ; Question, Mr. Whitwell ; Answer, Mr. Sclater-Booth *April* 27, 1758

Oxford, Bishop of
University of Oxford, Comm. *cl.* 14, 941 ; *cl.* 16, 1306, 1307 ; *cl.* 19, 1309 ; *cl.* 25, 1314 ; *add. cl.* 1316

Oyster Fisheries—Herne Bay
Question, Mr. Pemberton ; Answer, Sir Charles Adderley *Mar* 20, 266

Palmer, Mr. C. M., *Durham, N.*
Merchant Shipping, Comm. 527 ; *cl.* 3, 907 ; *cl.* 16, 1800 ; *add. cl.* 1935

Parliament
LORDS—
Chairman of Committees, Moved that the Lord Winmarleigh be appointed to take the Chair in the Committees of the Whole House in the absence of the Lord Redesdale *Mar* 31, *April* 6 : Agreed to
Office of the Clerk of the Parliaments and Office of the Gentleman Usher of the Black Rod—Select Committee appointed ; List of the Committee *Mar* 31, 962

[*cont.*

Parliament—Lords—cont.

Private Bills

Ordered, That no Private Bill brought from the House of Commons shall be read a second time after Monday the 19th day of June next [And other Orders] *April* 7, 1378

COMMONS—

Parliamentary Elections Act, 1868—*Boston Election*, Questions, Mr. J. R. Yorke, Mr. Ingram; Answers, The Attorney General *Mar* 21, 349; Question, Mr. Stacpoole; Answer, The Attorney General *April* 10, 1480

Exclusion of Strangers, Question, Mr. Dodson; Answer, Mr. Disraeli *April* 10, 1480

The Ladies' Gallery, Observations, Mr. Serjeant Sherlock; Reply, Lord John Manners; debate thereon *Mar* 24, 579

Business of the House

The Easter Recess, Questions, Mr. Hubbard, Mr. Anderson, Mr. Pease; Answers, Mr. Disraeli, Mr. Hunt, Mr. W. H. Smith *April* 3, 1100

House adjourned on Tuesday April 11 to Monday April 24

Public Business

Arrangement of Public Business, Observations, Question, The Marquess of Hartington; Reply, Mr. Disraeli; short debate thereon *April* 4, 1181; Question, Mr. Beckett-Denison; Answer, The Marquess of Hartington; short debate thereon *April* 6, 1328

Commencement of Public Business, Question, Mr. Monk; Answer, Mr. Disraeli *April* 28, 1837; Observations, Mr. Disraeli *May* 1, 1912; Observation, Mr. Seely; Reply, Mr. Disraeli *May* 2, 1986

The Budget—Customs and Inland Revenue Bill, Question, Mr. Rylands; Answer, Mr. W. H. Smith *April* 26, 1744; Questions, Mr. Rylands, Mr. Childers; Answer, The Chancellor of the Exchequer *April* 27, 1762

Parliament—Private Bill Committees—Referees—Instruction

Moved, "That it be an Instruction to Committees on Private Bills, that Referees, appointed to such Committees, may take part in all the proceedings thereof, but without the power of voting" (*Mr. Mowbray*) *Mar* 27, 613; after short debate, Question put, and agreed to

Parliament—Privilege—Public Petitions

Notice taken of the language of Petitions in favour of the Monastic and Conventual Institutions Bill from Kensington [presented 28th March]; from Broadstairs [presented 28th March]; and from Avebury [presented 31st March]; and doubts having been expressed whether the name of the Honourable Member which appeared upon those Petitions had been affixed by his authority,

Moved, "That the Order, That the Petition from Kensington [presented 28th March] do lie upon the Table, be read, and discharged" (*Mr. Callan*) *April* 7, 1395; after debate, Moved, "That the Debate be now adjourned" (*Sir William Fraser*); Motion withdrawn

Original Question put, and agreed to; Ordered, That the Petition be withdrawn

Ordered, That the Order, That the Petition from Broadstairs [presented 28th March] do lie upon the Table, be read, and discharged; Ordered, That the Petition be withdrawn

Ordered, That the Order, That the Petition from Avebury [presented 31st March] do lie upon the Table, be read, and discharged; Ordered, That the Petition be withdrawn

Notice taken, that the name of Mr. Newdegate, Member for North Warwickshire, had been affixed without his authority to a Petition from Chatham, in favour of the Monastic and Conventual Institutions Bill, presented upon the 30th day of March last,

Observations, Mr. Newdegate; short debate thereon *April* 6, 1317

Ordered, That the Order that the said Petition do lie upon the Table be read, and discharged; Petition withdrawn

Irregular Petitions, Question, Mr. Callan; Answer, Mr. Speaker; short debate thereon *April* 11, 1557; Observations, Mr. Newdegate, Captain Nolan *April* 25, 1633

Parliament—Privilege—Public Petitions—Petition of Mr. Charles Henwood

Moved, "That the Petition of Mr. Charles Henwood [presented 16th February] be printed with the Votes" (*Colonel Beresford*) *Mar* 20, 342

Amendt. to leave out from "That," and add "the Order that the Petition do lie upon the Table be read, and discharged" (*Mr. Goldsmid*) *v.*; after short debate, Question, "That the words, &c.," put, and negatived

Words added; main Question, as amended, put, and agreed to

Ordered, That the Order that the Petition do lie upon the Table be read, and discharged

Parliament—Public Petitions—Petition from a Foreign Town—Boulogne-sur-Mer (British Consulate)

Observations, Sir Eardley Wilmot; Reply, Mr. Speaker *April* 6, 1321

A Petition of Inhabitants of Boulogne-sur-Mer relative to the British Consulate in that Town having been offered to be presented,

Moved, "That the Petition do lie upon the Table" (*Mr. Disraeli*) *April* 7, 1411; after short debate, Motion withdrawn

Observations, Lord Robert Montagu; Reply, Mr. Speaker *April* 10, 1485

Parliament—House of Lords

Representative Peer for Ireland

(Writ and Return)

Mar 17—Lord Massy, *v.* Viscount de Vesci, deceased

PARLIAMENT—HOUSE OF COMMONS

New Writs Issued

April 7—*For* Norfolk (Northern Division), *v.* the Hon. Frederick Walpole, deceased

April 10—*For* East Cumberland, *v.* William Nicholas Hodgson, esquire, deceased

April 25—*For* Aberdeen County (Western Division), *v.* William M'Combie, esquire, Chiltern Hundreds

New Members Sworn

April 27—James Duff, esquire, *Norfolk County* (Northern Division)

May 1—Edward Stafford Howard, esquire, *Cumberland County* (Eastern Division)

Parliamentary and Municipal Registration (Boroughs) Bill

(*Mr. Alfred Marten, Mr. Torr, Mr. Birley, Mr. Dodds*)

c. Ordered; read 1° * *Mar* 16 [Bill 108]

Parliamentary Franchise — Liverymen (City of London)

Question, Mr. James; Answer, Mr. Assheton Cross *April* 6, 1321

Moved, For a Return "Of the number of Liverymen in the City of London entitled to vote at the election of Members of Parliament for the City of London by reason of their patrimony, servitude, or purchase in any of the Companies, arranged in the order of their respective Companies:—Name of Company. Patrimony. Purchase or Redemption. Servitude" (*Mr. James*) *April* 27, 1816; after short debate, Motion agreed to

PARNELL, Mr. C. S., *Meath*

Inland Revenue—Excise—Blending of Irish Whiskey, Motion for a Select Committee, 1213

Mutiny, Comm. Motion for reporting Progress, 688

Peace Preservation (Ireland) Act, Res. Previous Question moved, 1247

Peru—Steamship "Talisman," Crew of the, Motion for a Select Committee, Motion for Adjournment, 424, 426

Supply—Report, 687

Partition Act (1868) Amendment Bill

(*Sir Henry Jackson, Mr. Alfred Marten*)

c. Committee*; Report *April* 4 [Bills 73-97]

Read 3° * *April* 5

l. Read 1ª * (*Lord Selborne*) *April* 6 (No. 52)

Patents for Inventions Bill [H.L.]

(*The Lord Chancellor*)

l. Committee * *Mar* 21 (No. 15)

Report * *Mar* 27

Read 3ª * *Mar* 28

c. Read 1° * (*Mr. Attorney General*) *April* 26 [Bill 137]

PEASE, Mr. J. W., *Durham, S.*

Criminal Law—Joseph Hadley, Case of, 627

Merchant Shipping, Comm. *cl.* 3, 898; *cl.* 4, 911; *cl.* 6, 1161

Metropolis — Hyde Park—Serpentine, 479; Res. 1247, 1250, 1815

Parliament—Public Business—Easter Recess, 1100

Royal Titles, Comm. *cl.* 1, Amendt. 309, 315, 329; 3R. 480, 482

Vaccination Acts—Milner's Case, 477

Ways and Means—Financial Statement, 1137

PEEK, Sir H. W., *Surrey, Mid.*

Post Office Telegraphs—Safety of Wires (Metropolis), 69

Ways and Means—Financial Statement, 1143

PEEL, Right Hon. Sir R., *Tamworth*

Navy—"Mistletoe" Collision, 1477

PEEL, Mr. A. W., *Warwick Bo.*

Coast and Deep Sea Fisheries (Ireland), 2R. 450

Merchant Shipping, Comm. *cl.* 3, 908; *cl.* 5, 1155; *cl.* 18, 1809

PELL, Mr. A., *Leicestershire, S.*

Elementary Education Act (1870) Amendment, 2R. 1281

Ways and Means—Financial Statement, 1140

PEMBERTON, Mr. E. L., *Kent, E.*

Oyster Fishery—Herne Bay, 266

PERCY, Right Hon. Earl, *Northumberland, N.*

Metropolis—Hyde Park—The Serpentine, Res. 1249

Monastic and Conventual Institutions (Great Britain), Res. 994

PERKINS, Sir F., *Southampton*

Ordnance Survey—Superannuation, 1481

Peru—Crew of the Steamship "Talisman"

Moved, "That a Select Committee be appointed to inquire into the circumstances connected with the seizure of the British Steamship 'Talisman' by the Peruvian Government, her employment in the national service of Peru, the impressment of her crew on board Peruvian war ships, their prolonged imprisonment without trial, and the whole circumstances of the trial" (*Dr. Cameron*) *Mar* 21, 375; after long debate, Debate adjourned

Question, Mr. Gourley; Answer, Mr. Disraeli *Mar* 27, 622; Question, Dr. Cameron; Answer, Mr. Bourke *April* 7, 1406; Questions, Mr. Gorst; Answers, Mr. Bourke *April* 25, 1634; *May* 2, 1985

Pier and Harbour Orders Confirmation (Aldborough, &c.) Bill

(*Sir Charles Adderley, Mr. Edward Stanhope*)

c. Considered in Committee; Resolution agreed to, and reported; Bill ordered; read 1° * *April* 24 [Bill 131]

Read 2° * *April* 27

PIM, Captain B., *Gravesend*
- Henwood, Mr. Charles, Petition of, Res. 343
- Mercantile Marine—Burglaries at Sea, 1135
  - Merchant Seamen Deserters, 1909
- Merchant Shipping, Comm. *cl.* 3, Amendt. 899
- Navy—Miscellaneous Questions
  - Anchors and Cables (The "Victoria and Albert"), 562
  - Condemned Ships, 268
  - Royal Yacht, 964
- Thames Valley Drainage—Report of Colonel Cox, 1484

PLAYFAIR, Right Hon. Mr. Lyon, *Edinburgh and St. Andrew's Universities*
- India—Indian Civil Service, 473
- Post Office—Postal Telegraph Department, Res. 221

PLIMSOLL, Mr. S., *Derby Bo.*
- Merchant Shipping, Comm. *cl.* 3, 550; Amendt. 627; Amendt. 638, 643, 668, 687, 899, 908, 909; *cl.* 4, 911; *cl.* 5, 1151; Amendt. 1156, 1157, 1158; *cl.* 6, 1161; *cl.* 10, Amendt. 1371; *cl.* 14, Amendt. 1374, 1375, 1377; Amendt. 1580, 1584; Amendt. 1585; Amendt. 1587, 1588; *cl.* 15, Amendt. 1590, 1595, 1597, 1610, 1620; *cl.* 16, 1791, 1803; *cl.* 17, Amendt. 1804; *cl.* 18, Amendt. *ib.*; Amendt. 1806, 1808; *cl.* 26, 1914; *cl.* 27, Amendt. 1916, 1918; *add. cl.* 1924, 1925; Amendt. 1938; Amendt. 1940, 1941

PLUNKET, Hon. D. R. (Solicitor General for Ireland), *Dublin University*
- Admiralty Jurisdiction (Ireland), 2R. 1885
- Borough Franchise (Ireland), Res. 743
- Landed Estates Court (Ireland) — Second Judge, Appointment of, 70
- Law and Justice—Irish Ante-Union Statutes, 1912
- Supply—Revenue Departments, &c., 1878

PLUNKETT, Hon. R. E., *Gloucester, W.*
- Borough Franchise (Ireland), Res. 733

Police Superannuation—A Select Committee
- Question, General Shute; Answer, Sir Henry Selwin-Ibbetson *Mar* 24, 562

Poolbeg Lighthouse Bill
(*Mr. Edward Stanhope, Sir Charles Adderley*)
- *c.* Read 2°* *Mar* 24 [Bill 105]
- Order for Committee read, and discharged; Bill committed to a Select Committee *Mar* 27
- Ordered, That the Select Committee on the Poolbeg Lighthouse Bill do consist of Five Members, Three to be nominated by the House, and Two to be nominated by the Committee of Selection *Mar* 28
- Ordered, That all Petitions presented against the Bill be referred to the Select Committee on the Bill, provided such Petitions are presented two clear days before the meeting of the Committee, and that such of the Petitioners as pray to be heard by themselves, their Counsel, or Agents, be heard upon their Petitions, if they think fit, and Counsel heard in favour of the Bill against the said Petitions:—That the Committee have power to send for persons, papers, and records; Three to be the quorum (*Sir Charles Adderley*)
- Committee nominated *April* 7; List of the Committee, 688
- Report of Select Comm. *May* 2 [No. 140]

Poor Law
- *Out-Door Relief*, Question, Mr. Dundas; Answer, Mr. Salt *Mar* 30, 876
- *Workhouse Sunday Services* (*Oldham*), Question, Sir Thomas Bazley; Answer, Mr. Sclater-Booth *Mar* 27, 625

Poor Law Amendment Bill
(*Mr. Sclater-Booth, Mr. Salt*)
- *c.* Read 2° *Mar* 24, 594 [Bill 78]
- Committee—R.P. *April* 7, 1469

Poor Law (Scotland) Bill
(*The Lord Advocate, Mr. Secretary Cross*)
- *c.* Motion for Leave (*The Lord Advocate*) *April* 10, 1554; after short debate, Motion agreed to; Bill ordered; read 1°* [Bill 130]

Portugal, Commercial Relations with
- Question, Mr. W. Cartwright; Answer, Mr. Bourke *Mar* 16, 67

POST OFFICE

MISCELLANEOUS QUESTIONS
- *American Transatlantic Mails*, Question, Mr. Kinnaird; Answer, Lord John Manners *Mar* 20, 268;—*North American Mails*, Question, Mr. Baxter; Answer, Lord John Manners *Mar* 16, 63
- *Channel Islands, The—Alderney*, Question, Mr. Alderman M'Arthur; Answer, Lord John Manners *April* 6, 1323
- *Female Clerks in the Savings Bank Department*, Question, Mr. James; Answer, Lord John Manners *April* 4, 1179
- *Glasgow Post Office, The*, Question, Mr. Anderson; Answer, Lord John Manners *April* 28, 1832
- *Parliamentary Papers and Blue Books*, Questions, Mr. M'Laren; Answers, Lord John Manners, Mr. W. H. Smith *April* 6, 1324; *April* 7, 1408
- *Postage to India*, Question, Mr. Leith; Answer, Lord John Manners *Mar* 21, 351
- *Rural Post Office Messengers* (*Ireland*), Question, Lord Robert Montagu; Answer, Lord John Manners *April* 4, 1180

Post Office Telegraphs
- *Glengarriffe*, Question, Mr. Sullivan; Answer, Lord John Manners *April* 4, 1180
- *Safety of Wires* (*Metropolis*), Question, Sir Henry Peek; Answer, Lord John Manners *Mar* 16, 69; Question, Mr. Anderson; Answer, Lord John Manners *April* 24, 1579
- *Telegraphs in Small Towns*, Question, Mr. David Jenkins; Answer, Lord John Manners *April* 28, 1833
- *International Law — Submarine Telegraphs*, Question, Mr. E. Noel; Answer, Mr. Bourke *Mar* 23, 476

Post Office—The Postal Telegraph Department
Amendt. on Committee of Supply *Mar* 17, To leave out from "That," and add "a Select Committee be appointed to inquire into the organization and management of the Telegraph Department of the Post Office" (*Mr. Goldsmid*) *v.*, 172; Question proposed, "That the words, &c.;" after debate, Amendt. withdrawn
Select Committee appointed, "to inquire into the organization and financial system of the Telegraph Department of the Post Office" (*Mr. Goldsmid*); Committee nominated; List of the Committee *Mar* 31, 1803

Potter, Mr. T. B., *Rochdale*
Royal Titles Proclamation, 1768

Power, Mr. J. O'Connor, *Mayo*
Aliens' Order in Council, 1873—Gibraltar, 1831, 1832
Borough Franchise (Ireland), Res. 725
Parliament—Public Petition from a Foreign Town — Boulogne-sur-Mer (British Consulate), Res. 1418
Peace Preservation (Ireland), Res. 1240, 1241
Peru—Steamship "Talisman," Crew of the, Motion for a Select Committee, 424
Police (Ireland)—Mayo, Extra Force in, 1830

Price, Captain G. E., *Devonport*
Navy—Royal Marines, 1524
Torpedoes—Captain Harvey, 563
Navy—Navigation of Her Majesty's Ships, Res. Amendt. 1650
Newfoundland Fisheries, 1177
Slave Trade (East Africa), Res. 1228

Price, Mr. W. E., *Tewkesbury*
Army—Mobilization of Army Corps, 69

Privy Council (Oaths taken by Members, &c.)—Mr. Lowe's Speech at Retford
Moved, "That an humble Address be presented to Her Majesty, that She will be graciously pleased to give directions that there be laid before this House, Returns of the form of the Oath or Oaths taken by persons sworn Members of the Privy Council: And, showing the respective dates when the following persons were sworn in as Members of the Privy Council:—The late Edward Geoffrey Smith-Stanley Earl of Derby, the late Viscount Palmerston, the Right honourable John Earl Russell, the Right honourable Member for Bucks, the Right honourable Member for Greenwich, and the Right honourable Member for the University of London" (*Mr. Charles Lewis*) *May* 2, 2023; after debate, Question put; A. 91, N. 37; M. 54

Provisional Orders (Ireland) Confirmation Bill [H.L.] (*The Lord President*)
l. Presented; read 1ª * *May* 2 (No. 67)

Publicans Certificates (Scotland) Bill
(*Dr. Cameron, Sir Windham Anstruther, Mr. Ramsay, Mr. Mackintosh*)
c. Committee *; Report *Mar* 28 [Bill 45]
Committee (*on re-comm.*); Report *April* 27, 1809
Considered * *April* 28 [Bill 115]
Read 3° * *May* 1
l. Read 1ª * (*Earl Stanhope*) *May* 2 (No. 66)

Public Health
Public Health Act, 1875—*Local Board Elections*, Question, Sir John Kennaway; Answer, Mr. Sclater-Booth *Mar* 31, 969
Quack Medicines, Question, Colonel Egerton Leigh; Answer, Viscount Sandon *Mar* 20, 269
Typhoid Fever at Eagley, Question, Mr. J. K. Cross; Answer, Mr. Sclater-Booth *April* 10, 1474
Vaccination Act—Prosecutions, Question, Mr. P. A. Taylor; Answer, Mr. Sclater-Booth *Mar* 16, 62;—*Milner's Case*, Question, Mr. Pease; Answer, Mr. Sclater-Booth *Mar* 23, 477

Public Meetings—Freedom of Discussion
Question, Mr. Whalley; Answer, Mr. Assheton Cross *April* 6, 1327

Public Schools Act, 1868
Amendt. on Committee of Supply *April* 7, To leave out from "That," and add "a Select Committee be appointed to consider whether any alteration is desirable in the existing relations between the Governing Bodies, Head Masters, and Assistant Masters of the seven schools under the operation of 'The Public Schools Act, 1868'" (*Mr. Knatchbull-Hugessen*) *v.*, 1420; after debate, Question, "That the words, &c." put, and agreed to

Queen's Visit to Germany
Questions, Mr. Anderson, Mr. Sullivan; Answers, Mr. Disraeli *Mar* 28, 700; Questions, Mr. Anderson; Answer, Mr. Disraeli *Mar* 30, 882

Raikes, Mr. H. C. (Chairman of Committees of Ways and Means), *Chester*
Borough Franchise (Ireland), Res. 717
Burghs and Populous Places (Scotland) Gas Supply, 2R. 5; Amendt. 7
House Occupiers Disqualification Removal, 2R. 1624
Merchant Shipping, Comm. *cl.* 3, 638, 639, 687, 906; *cl.* 15, 1590; *cl.* 16, 1791, 1792; *cl.* 27, 1916, 1918
Parliament — Private Bill Committees—Referees—Instruction, Res. 616
South Eastern Railway, 2R. 61

Ramsay, Mr. J., *Falkirk, &c.*
Church Rates Abolition (Scotland), 2R. 28
Coast and Deep Sea Fisheries (Ireland), 2R. 456

[*cont.*

Ramsay, Mr. J.—*cont.*
Ecclesiastical Assessments (Scotland), 2R. 1162
Game Laws Amendment, 2R. 1816
Supply, Report, 687

Rathbone, Mr. W., *Liverpool*
Intoxicating Liquors (Licensing Law Amendment) (No. 2), 2R. 1889
Merchant Shipping, Comm. 537; *cl.* 3, 549, 676, 905; *cl.* 4, Amendt. 910; Amendt. 911, 912; *cl.* 6, 1368; *cl.* 9, Amendt. *ib.*; *cl.* 12, Amendt. 1372, 1373; *cl.* 15, 1592, 1614, 1618, 1621; *cl.* 16, 1801, 1803; *cl.* 19, 1882; *cl.* 21, Amendt. 1883; *add. cl.* 1932

Rating Act, 1874—*St. Thomas's Hospital*
Question, Sir John Scourfield; Answer, Mr. Sclater-Booth *April* 10, 1475

Read, Mr. Clare S., *Norfolk, S.*
Merchant Shipping, Comm. *cl.* 15, 1603
Ways and Means—Income Tax, Res. 1360

Redesdale, Lord (Chairman of Committees)
Royal Titles, Comm. *cl.* 1, 302

Redmond, Mr. W. A., *Wexford*
Borough Franchise (Ireland), Res. 721

Reed, Mr. E. J., *Pembroke*
Henwood, Mr. Charles, Petition of, Res. 343
Merchant Shipping, Comm. *cl.* 3, 645; *cl.* 9, 1370; *cl.* 14, 1377; *cl.* 16, 1801, 1802, 1803; *cl.* 18, 1805; *cl.* 27, 1915, 1916; *cl.* 28, 1918, 1919; *add. cl.* 1938
Naval Cadet College—Milford Haven, 878
Navy Estimates—Admiralty Office, 1549, 1552
  Coastguard Service—Naval Reserve, &c. 1553
  Seamen and Marines, 1547
Privy Council (Oaths taken by Members, &c.), Address for Returns, 2030, 2037
Ways and Means—Income Tax, Res. 1364

Registration of Births and Deaths — Friendly Societies Act, 1875—*Certificates of Deaths*
Question, Mr. Ashbury; Answer, The Chancellor of the Exchequer *Mar* 16, 71; Question, Mr. W. Holms; Answer, The Chancellor of the Exchequer *April* 6, 1325
Inland Revenue — Friendly and Building Societies — Fees on Certificates, Question, Mr. Rylands; Answer, The Chancellor of the Exchequer *April* 3, 1096

Richard, Mr. H., *Merthyr Tydvil*
Elementary Education Act, 1870 — Briston School District, 696
  School Board Teachers, 966

Richmond and Gordon, Duke of (Lord President of the Council)
Agricultural Holdings (Scotland), 1R. 691; 2R. 1383
Church of Scotland (Election of Ministers), Motion for Returns, 1385

Richmond and Gordon, Duke of—*cont.*
Criminal Law—Police Constable Maconachie, Case of, 600
Irish Peerage, Comm. *cl.* 3, 1905
Metropolis—Hyde Park—The Serpentine, 1393
  Northumberland Avenue, 1394
Royal Titles, 2R. 821, 827
Sea Insurances (Stamping of Policies), 2R. 691
Sulphurous Acid, &c., Address for a Royal Commission, 607
University of Oxford, Comm. 821; *cl.* 35, 1315

Ridley, Mr. M. W., *Northumberland, N.*
Army—Yeomanry Adjutants, 1908

Ripley, Mr. H. W., *Bradford*
Rivers Pollution—The Clyde, 1909

Ritchie, Mr. C. T., *Tower Hamlets*
Holland—Sugar Duties, 1478
Merchant Shipping, Comm. *cl.* 5, 1155; *cl.* 14, 1375; *cl.* 15, 1615; *cl.* 16, 1793, 1802
Metropolitan Fire Brigade, Motion for a Select Committee, 353, 370

Rivers Pollution
Clyde, The, Question, Mr. Ripley; Answer, Mr. Assheton Cross *May* 1, 1909
Thames Water, Question, Sir Charles W. Dilke; Answer, Mr. Sclater-Booth *April* 24, 1578
Thames Valley Drainage—Report of Colonel Cox, Question, Captain Pim; Answer, Mr. Sclater-Booth *April* 10, 1484

Roads and Bridges (Scotland) Bill
(*The Lord Advocate, Mr. Secretary Cross*)
c. Motion for Leave (*The Lord Advocate*) *Mar* 30, 914; Motion agreed to; Bill ordered; read 1° * [Bill 118]

Rochester, Bishop of
Felstead School—The Rev. W. Grignon, Dismissal of, 1754

Rodwell, Mr. B. B. H., *Cambridgeshire*
Public Schools Act, 1868, Res. 1448

Roebuck, Mr. J. A., *Sheffield*
Royal Titles, Comm. 128

Rosebery, Earl of
Irish Peerage, 2R. 1172; Comm. *cl.* 2, 1899
Royal Titles, Comm. 1081

Royal Titles Bill
Miscellaneous Questions
l. Personal Explanation, The Duke of Buccleuch *Mar* 28, 689; Question, Earl Granville; Answer, The Lord Chancellor *April* 6, 1301; Observations, Lord Selborne; Reply, The Lord Chancellor; short debate thereon *May* 2, 1953
c. Question, Sir William Harcourt; Answer, Mr. Disraeli *April* 3, 1097

Royal Titles Bill—cont.

The Proclamation, Question, Mr. Rylands; Answer, Mr. Disraeli *Mar* 30, 881; Question, Mr. Fawcett; Answer, Mr. Disraeli *April* 24, 1574; Question, Mr. Fawcett, Observations, The Marquess of Hartington; Reply, Mr. Disraeli; short debate thereon *April* 25, 1629; Question, Mr. Anderson; Answer, Mr. Disraeli *April* 27, 1764; Moved, "That this House do now adjourn" (*Mr. Fawcett*); after debate, Motion withdrawn

Questions, Sir Henry James, Sir Charles W. Dilke, Mr. Osborne Morgan; Answers, The Chancellor of the Exchequer, Mr. Disraeli, The Attorney General *May* 2, 1982

Royal Titles Bill
(*Mr. Disraeli, Mr. Secretary Cross, Mr. Attorney General, Lord George Hamilton*)

c. Order for Committee read; Moved, "That Mr. Speaker do now leave the Chair" *Mar* 16, 75

Amendt. to leave out from "That," and add "while willing to consider a measure enabling Her Majesty to make an addition to the Royal Style and Title, which shall include such Dominions of Her Majesty as to Her Majesty may seem meet, this House is of opinion that it is inexpedient to impair the ancient and Royal dignity of the Crown by the assumption of the style and title of Emperor" (*The Marquess of Hartington*) *v.*; Question proposed, "That the words, &c.;" after long debate, Moved, "That the Debate be now adjourned" (*Mr. Thomas Cave*); Question put; A. 192, N. 324; M. 132

Question again proposed, "That the words, &c.;" Moved, "That this House do now adjourn" (*Mr. James*); Motion withdrawn

Question put, "That the words, &c.;" A. 305, N. 200; M. 105
Division List, A. and N., 160

Main Question, "That Mr. Speaker, &c.," put, and agreed to; Committee—R.P. [Bill 83]

Committee; Report *Mar* 20, 272

Moved, "That the Bill be now read 3^{o}" *Mar* 23, 480; after debate, Question put; A. 209, N. 134; M. 75; Bill read 3^{o}
Division List, A. and N., 517

Notice of Motion, Mr. Fawcett *Mar* 24, 563

l. Read 1^{a}* (*Lord President*) *Mar* 24 (No. 41)

Read 2^{a}, after long debate *Mar* 30, 821

Moved, "That the House do now resolve itself into Committee" *April* 3, 1039

Amendt. to leave out from ("That") and insert ("an humble Address be presented to Her Majesty, as follows: That this House ventures to approach Her Majesty in sincere and earnest devotion to Her Majesty's person and dignity, with an humble and hearty prayer that She may be graciously pleased to assume a Title more in accordance than the Title of Empress with the history of the Nation and with the loyalty and feelings of Her Majesty's most faithful subjects") (*The Earl of Shaftesbury*) *v.*; after long debate, on Question, "That the words, &c.?" Cont. 137, Not-Cont. 91; M. 46; resolved in the affirmative; Committee; Report
Division List, Cont. and Not-Cont., 1092

[*cont.*

Royal Titles Bill—cont.

Read 3^{a}, after short debate *April* 7, 1386

Royal Assent *April* 27 [39 *Vict.* c. 10]

c. Notices, Mr. Cowen, Mr. Charles Lewis; Observations, Mr. Speaker *April* 27, 1757

Russell, Sir C., *Westminster*
South Eastern Railway, 2R. Motion for Adjournment, 59, 62

Russia and Corea
Question, Sir Charles W. Dilke; Answer, Mr. Bourke *Mar* 17, 170

Ryder, Mr. G. R. D., *Salisbury*
Criminal Law—Prisoners awaiting Trial, 702

Rylands, Mr. P., *Burnley*
Inland Revenue—Friendly and Building Societies—Fees on Certificates, 1096
Merchant Shipping, Comm. *cl.* 16, 1799; *cl.* 28, 1919
Navy Estimates—Coastguard Service, Naval Reserve, &c., Motion for reporting Progress, 1552
Seamen and Marines, 1546
Parliament—Public Business, 1744, 1762
Royal Titles—The Proclamation, 881
Supply—Embassies and Missions Abroad, 1467, 1468
Ways and Means—Financial Statement, 1134
Ways and Means—Income Tax, Res. 1353, 1355

Sale of Coal Bill
(*Mr. Gourley, Mr. Palmer, Mr. Hamond, Mr. Dodds, Sir Henry Havelock, Mr. Ashbury*)

c. Considered in Committee; Resolution agreed to, and reported; Bill ordered; read 1^{o}* *April* 26 [Bill 132]

Sale of Intoxicating Liquors on Sunday (Ireland) Bill (*Mr. Richard Smyth, The O'Conor Don, Mr. James Corry, Mr. William Johnston, Mr. Dease, Mr. Thomas Dickson, Mr. Redmond*)

c. Bill withdrawn* *Mar* 29 [Bill 38]

Salisbury, Marquess of (Secretary of State for India)
Agricultural Holdings (Scotland), 2R. 1383
Council of India—Indian Tariff, 921, 924, 926, 1378
Council of India (Professional Appointments), 2R. 165, 168; Comm. Amendt. 345, 347
Royal Titles, 2R. 865, 867, 871, 872
University of Cambridge, 468
University of Oxford, Comm. 820, 930; *cl.* 4, 933; *cl.* 6, 938; *cl.* 10, *ib.*; *cl.* 12, 939, 940; *cl.* 14, 942; *cl.* 15, 948, 954; *cl.* 16, 959, 1303, 1304, 1305, 1307; *cl.* 17, *ib.*; *cl.* 19, 1308; *cl.* 24, 1310; *cl.* 25, 1312, 1314; *cl.* 33, 1315; *add. cl.* 1316; Report, *cl.* 4, 1949; *cl.* 16, Amendt. 1950, 1951; *add. cl. ib.*, 1952; *cl.* 28, *ib.*; *cl.* 37, 1953
University of Oxford—Commissioners, 262, 348, 598, 599

Salmon Fisheries Bill
(*Mr. Assheton, Mr. Robertson*)
c. Committee*; Report *May* 1 [Bill 60]

Salmon Fishery (Provisional Order) Bill
(*Sir Henry Selwin-Ibbetson, Mr. Secretary Cross*)
c. Ordered; read 1°* *Mar* 17 [Bill 110]

Salt, Mr. T., *Stafford*
Poor Law—Out-door Relief, 876

Samuda, Mr. J. D'A., *Tower Hamlets*
Merchant Shipping, Comm. *cl.* 3, 893, 905; *cl.* 4, 912; *cl.* 5, 1151; *cl.* 9, 1370; *cl.* 16, 1797; *cl.* 19, 1881; *cl.* 27, 1916, 1917; *add. cl.* 1936, 1937, 1939

Samuelson, Mr. B., *Banbury*
Egypt—Egyptian Finance—Mr. Cave's Report, 621
Royal Titles, Comm. *cl.* 1, Amendt. 329, 335

Sandford, Mr. G. M. W., *Maldon*
Ways and Means—Financial Statement, 1133

Sandhurst, Lord
Council of India (Professional Appointments), 2R. 168
Royal Titles, Comm. 1077

Sandon, Right Hon. Viscount (Vice President of Committee of Council on Education), *Liverpool*
Education—Queen's Speech, 620
Elementary Education Act—Cardiff School Board, 171
Elementary Education Act, 1870—Miscellaneous Questions
Briston School District, 697
"Godless Education," 267
Pupil Teachers, 877
School Board Teachers, 966
Science in Elementary Schools, 1405
Elementary Education Act (1870) Amendment, 2R. 1258; Amendt. 1267, 1297, 1299
Elementary Education (Scotland)—Scotch Education Code, 1876, 1406
Endowed Schools Commissioners—Nuneaton Grammar School, 702
Primary Education, 1411
Public Health—Quack Medicines, 269

Savings Banks and Friendly Societies—Deficiencies—Legislation
Question, Mr. Fawcett; Answer, The Chancellor of the Exchequer *Mar* 20, 271

Sclater-Booth, Right Hon. G. (President of the Local Government Board), *Hampshire, N.*
Highway Boards, 967
Highways, Leave, 1554
Inland Revenue—Public Health Act, 1875—Proxy Stamp, 1410
Owners of Land (England)—New "Domesday Book," 1577, 1758

[*cont.*

Sclater-Booth, Right Hon. G.—*cont.*
Poor Law Amendment, 2R. 594; Comm. 1469
Poor Law—Workhouse Sunday Services (Oldham), 626
Public Health Act, 1875—Local Board Elections, 969
Public Health—Eagley, Typhoid Fever at, 1474
Rating Act, 1874—St. Thomas's Hospital, 1475
Rivers, Pollution of—Thames Water, 1578
Thames Valley Drainage—Report of Colonel Cox, 1484
Vaccination Act—Prosecutions, 63;—Milner's Case, 477
Ways and Means—Income Tax, Res. 1349

Scotland
Miscellaneous Questions
Court of Session—Returns, Question, Mr. Grieve; Answer, The Lord Advocate *April* 25, 1624
Elementary Education Act—The Scotch Education Code, 1876, Question, Mr. Mackintosh; Answer, Viscount Sandon *April* 7, 1406
Poor Inspectors—Superannuation, Question, Sir Robert Anstruther; Answer, The Lord Advocate *April* 4, 1180
Poor Law—Medical Relief, Question, Mr. M'Laren; Answer, The Chancellor of the Exchequer *April* 10, 1483

Scotland—Church of Scotland (Election of Ministers)
Motion for "Regulations, framed and enacted by the General Assembly of the Church of Scotland, to be observed in the election and appointment of Ministers" under the powers conferred upon them by the Patronage Abolition Act; also for returns for each parish in Scotland, in which a vacancy has been filled up or is in the course of being filled up, under any such regulations or interim regulations of the General Assembly stating certain particulars [according to a tabular form set forth in the Motion] (*The Earl of Minto*) *April* 7, 1384; after short debate, Motion amended, and agreed to

Scourfield, Sir J. H., *Pembrokeshire, S.*
Elementary Education Act (1870) Amendment, 2R. 1269, 1276
"Mistletoe," The—Coroner's Jury, 1761
Navy—Navigation of Her Majesty's Ships, Res. 1653
Rating Act, 1874—St. Thomas's Hospital, 1475

Sea Insurances (Stamping of Policies) Bill (*Mr. Serjeant Simon, Mr. Hubbard, Mr. Norwood, Mr. Rathbone*)
c. Committee* (*on re-comm.*); Report *Mar* 20
Considered* *Mar* 21 [Bill 93]
Read 3°* *Mar* 22
l. Read 1ª* (*Lord Carlingford*) *Mar* 23 (No. 40)
Read 2ª, after short debate *Mar* 28, 690
Committee*; Report *Mar* 30
Read 3ª* *Mar* 31
Royal Assent *April* 7 [39 *Vict.* c. 8]

Seely, Mr. C., *Lincoln City*
Navy—"Alberta" and "Mistletoe" Collision, Res. 1515
Parliament—Public Business, 1986

Selborne, Lord
Inns of Court—General School of Law, 2R. 1892
Royal Titles, Comm. 1063, 1067; *cl.* 1, 1095; 3R. 1387, 1953, 1975

Selwin-Ibbetson, Sir H. J. (Under Secretary of State for the Home Department), *Essex, W.*
Police Superannuation—A Committee, 562
Supply—Police, County and Borough, 591

Shaftesbury, Earl of
Royal Titles, Comm. Amendt. 1039

Shaw, Mr. W., *Cork Co.*
Monastic and Conventual Institutions (Great Britain), Res. 979

Sheridan, Mr. H. B., *Dudley*
Licensing Act, 1872—Burial Clubs, 880, 1099

Sherlock, Mr. Serjeant D., *King's Co.*
Coast and Deep Sea Fisheries (Ireland), 2R. 450
Law and Justice—"Kimberley v. Crossley"—Costs, 964, 966
Merchant Shipping, Comm. *cl.* 3, 904
Monastic and Conventual Institutions (Great Britain), Res. 996, 998
Parliament—Ladies' Gallery, House of Commons, 579

Shute, Major-General C. C., *Brighton*
Army—National Rifle Association—Martini-Henry Rifles, 561
Civil Service (Employment of Soldiers), Motion for a Select Committee, 1990
Peace Preservation (Ireland) Act, Res. 1240, 1242
Police Superannuation—A Committee, 562

Simon, Mr. Serjeant J., *Dewsbury*
Factory and Workshop Acts, 1761
Merchant Shipping, Comm. 528; *cl.* 3, 890, 893, 902; *cl.* 9, 1370; *cl.* 14, 1585; *add. cl.* 1934; Amendt. 1942
Royal Titles, Comm. *cl.* 1, Amendt. 276, 283, 294, 297; Amendt. 301, 302
Spain—"Octavia," Case of the, 1912
Sloop "Lark," Seizure of, 702

Slave Trade (East Africa)—The Sultan of Zanzibar
Moved, "That, in the opinion of this House, it is desirable that Her Majesty's Government should invite and assist the Sultan of Zanzibar to take such further steps as may be necessary for the total suppression of the Slave Trade within his dominions, and that at the same time more adequate provision should be made for the care and maintenance

[*cont.*

Slave Trade (East Africa)—The Sultan of Zanzibar—cont.
of the liberated slaves" (*Sir John Kennaway*) *April* 4, 1216; after debate, Motion agreed to
Treaty of 1839, Question, Mr. Mills; Answer, Mr. Bourke *Mar* 16, 72

Slaves, Fugitive—Coolies
Question, Observations, Lord Stanley of Alderley; Reply, The Earl of Derby *Mar* 20, 254

Small Testate Estates (Scotland) Bill
(*Mr. James Barclay, Sir Robert Anstruther, Mr. Kinnaird, Mr. Mackintosh*)
c. Ordered; read 1°* *Mar* 15 [Bill 107]
Read 2°* *Mar* 28

Smith, Mr. T. E., *Tynemouth, &c.*
House Occupiers Disqualification Removal, 2R. 554
India—Bengal Famine, Motion for a Select Committee, 1838, 1854
Merchant Shipping, Comm. *cl.* 3, 550, 904; *cl.* 5, Amendt. 1147, 1156; Amendt. 1157; Amendt. 1158, 1159; *cl.* 6, Amendt. 1160; *cl.* 10, 1371; *cl.* 14, 1376, 1581, 1587; *cl.* 15, 1593, 1611; Amendt. 1613; Amendt. 1615; Amendt. 1617; *cl.* 18, Amendt. 1805, 1808; *cl.* 19, 1883; *cl.* 24, 1885; *cl.* 27, 1916; *add. cl.* 1923; Amendt. 1937, 1946
Navy—Ships Boats, Lowering, 268
Royal Titles Act, 1985

Smith, Mr. W. H. (Secretary to the Treasury), *Westminster*
British Museum — Reading Rooms, 1476;—Salaries, 1576
Civil Service (Ireland), 1100
Consolidated Fund, 3R. 566
Customs—Out-door Officers at Outports, 1478
Egypt—Mr. Cave's Mission, 567
Metropolis—Hyde Park—Serpentine, 479, 970
Metropolitan Improvements Models, 350
Metropolitan Street Traffic—Hyde Park, 352
National Gallery—New Buildings, 170
Ordnance Survey—Superannuations, 1481
Parliament—Public Business, 1184, 1744;—Easter Recess, 1100
Post Office—Blue Books, Postage of, 1324, 1409
Registry of Deeds Office (Ireland), Report, 621
Supply—Civil Contingencies Fund, 338
  Embassies and Missions Abroad, 1467, 1468
  Mediterranean Extension Telegraph Company, 337
  Metropolitan Police, 591
  Public Buildings, Ireland, 252
  Sheriff Court Houses, Scotland, 252
  War Office on account of India, 340, 341

Smollett, Mr. P. B., *Cambridge*
India—Madras Irrigation Works, 698
Royal Titles, Comm. 100
Women's Disabilities Removal, 2R. 1704

Smyth, Mr. P. J., *Westmeath Co.*
Law and Justice—Irish Ante-Union Statutes, 1911

SMYTH, Mr. R., *Londonderry Co.*
- Publicans Certificates (Scotland), Comm. *cl.* 5, 1812
- Monastic and Conventual Institutions (Great Britain), Res. 1006

SOMERSET, Duke of
- Royal Titles, 2R. 831, 871
- University of Oxford, Comm. *cl.* 16, 1305; *cl.* 24, Amendt. 1310

South Eastern Railway Bill (by Order)
- Adjourned Debate on Question [9th March], "That the Bill be now read 2°" resumed *Mar* 16, 59
- Moved, "That the Debate be now adjourned" (*Sir Charles Russell*); after short debate, Motion withdrawn
- Main Question put, and agreed to; Bill read 2°

Spain
- *Case of the "Octavia,"* Question, Mr. Serjeant Simon; Answer, Mr. Bourke *May* 1, 1912
- *Miscarriage of Justice—Murder of a British Subject*, Question, Mr. Dodson; Answer, Mr. Bourke *April* 25, 1626
- *Seizure of the Sloop "Lark,"* Question, Mr. Serjeant Simon; Answer, Mr. Bourke *Mar* 28, 702
- *War Taxes on British Subjects*, Question, Mr. Goldsmid; Answer, Mr. Bourke *April* 6, 1321

SPEAKER, The (Right Hon. H. B. W. BRAND), *Cambridgeshire*
- Coast and Deep Sea Fisheries (Ireland), 2R. 449
- Consolidated Fund, 3R. 564, 565
- Monastic and Conventual Institutions (Great Britain), Res. 1016
- Parliament — Privilege — Irregular Petitions, 1320, 1400, 1557, 1558, 1559
  - Public Business, 1183
- Parliament—Public Petition from a Foreign Town — Boulogne-sur-Mer (British Consulate), 1321; Res. 1411, 1416, 1418, 1485
- Peace Preservation (Ireland) Act, Res. 1247
- Peru—Steamship "Talisman," Crew of the, Motion for a Select Committee, 427
- Privy Council (Oaths taken by Members, &c.), Address for Returns, 2029, 2030, 2037
- Royal Titles, Comm. 110, 136
- Royal Titles—The Proclamation, 1633, 1758, 1766, 1771

STACPOOLE, Captain W., *Ennis*
- Army Veterinary Surgeons, 619, 1830
- Borough Franchise (Ireland), Res. 729
- Civil Service (Ireland), 1099
- Law and Justice—Wilberforce, Mr., Case of, Res. 2022
- Merchant Shipping Acts—Unseaworthy Ships, 472
- Navy—Naval Officers holding Civil Appointments, 1829
- Parliamentary Boroughs (Ireland), 1906
- Parliamentary Elections Act, 1868 — Boston Election, 1480
- Poor Law Amendment, Comm. 1471

STANHOPE, Hon. E., *Lincolnshire, Mid*
- Merchant Shipping, Comm. *cl.* 3, 547

STANHOPE, Mr. W. T. W. S., *Yorkshire, W.R.*
- Intoxicating Liquors (Licensing Law Amendment) (No. 2), 2R. 1888
- Merchant Shipping, Comm. *cl.* 15, 1618; *cl.* 19, 1883

STANLEY OF ALDERLEY, Lord
- Fugitive Slave Coolies, 254
- Royal Titles, 2R. 850

Statute Law—Acts of Parliament—Report of Select Committee
- Amendt. on Committee of Supply *Mar* 24, To leave out from "That," and add "in the opinion of this House, effect should be given to the recommendations of the Select Committee of 1875 upon Acts of Parliament" (*Mr. Gregory*) *v.*, 568; after debate, Question, "That the words, &c." put, and agreed to

STEVENSON, Mr. J. C., *South Shields*
- Merchant Shipping, Comm. *cl.* 16, 1796

STEWART, Mr. M. J., *Wigton Bo.*
- Church Bodies (Gibraltar)—The Ordinances, Motion for an Address, 769
- Church Rates Abolition (Scotland), 2R. 34
- Monastic and Conventual Institutions (Great Britain), Res. 998
- Publicans Certificates (Scotland), Comm. *cl.* 5, 1811
- Slave Trade (East Africa), Res. 1220

STORER, Mr. G., *Nottinghamshire, S.*
- Monastic and Conventual Institutions (Great Britain), Res. 1031, 1032
- Supply—Constabulary, Ireland, 593

STUART, Colonel, *Cardiff*
- Elementary Education Act — Cardiff School Board, 171

Suez Canal Shares, The—Bank of England—The Loans Act
- Question, Sir H. Drummond Wolff; Answer, The Chancellor of the Exchequer *Mar* 20, 269; Question, Mr. Evelyn Ashley; Answer, The Chancellor of the Exchequer *Mar* 21, 351

Sugar Convention, 1875—*Refusal of the Dutch Chamber*
- Question, Mr. Goschen; Answer, Mr. Bourke *Mar* 16, 73; Question, Observations, Lord Hampton; Reply, The Earl of Derby *Mar* 24, 557; Question, Mr. Ritchie; Answer, Mr. Bourke *April* 10, 1478

SULLIVAN, Mr. A. M., *Louth Co.*
- Army—War Department Contracts, 619
- British Museum—Reading Rooms, 1476
- Cattle Disease (Ireland), Comm. *cl.* 2, 1037
- Church Bodies (Gibraltar)—The Ordinances, Motion for an Address, 769

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Sullivan, Mr. A. M.—*cont.*
- Criminal Law—Margaret M'Fadden, Case of, 68
- Germany—Prince Bismarck and Count Arnim, 875
- Henwood, Mr. C., Petition of, Res. 344
- Inland Revenue — Excise—Blending of Irish Whiskey, Motion for a Select Committee, 1209
- Irish Fisheries Act—Licences, 695
- Land Tenure (Ireland), 2R. 819
- Licensing Act (Ireland) 1872 — Publicans' Sign-boards, 561
- Merchant Shipping, Comm. 525, 538; *cl.* 3, 549, 551, 639, 681, 898, 908; *cl.* 10, 1371; *cl.* 14, 1376
- Monastic and Conventual Institutions (Great Britain), Res. 1027
- National School Teachers (Ireland) Act, 1875, Res. 239
- Parliament—Public Petition from a Foreign Town — Boulogne-sur-Mer (British Consulate), Res, 1418
- Peace Preservation (Ireland) Act, Res. 1237
- Post Office Telegraphs—Glengarriffe, 1180
- Queen's Visit to Germany, 701
- Royal Titles, Comm. 135; *cl.* 1, 328
- Supply—Civil Contingencies Fund, 340
  - Constabulary, Ireland, 594
  - Public Buildings (Ireland), 252

Sulphurous Acid, &c.
- Moved, that an humble Address be presented to Her Majesty, praying that Her Majesty will be graciously pleased to appoint a Royal Commission to inquire into the working and management of works and manufactories from which sulphurous acid, sulphuretted hydrogen, and ammoniacal or other vapours and gases are given off, to ascertain the effect produced thereby on animal and vegetable life, and to report on the means to be adopted for the prevention of injury thereto arising from the exhalation of such acids, vapours, and gases, and upon the legislative measures required for this purpose (*The Duke of Northumberland*) *Mar* 27, 600; after short debate, words "and upon the legislative measures required for this purpose" withdrawn; Motion, as amended, agreed to
- Her Majesty's Answer to the Address reported *April* 27, 1745

Sunday Trading—The Bakers Act
- Question, Mr. P. A. Taylor; Answer, Mr. Assheton Cross *Mar* 16, 62

SUPPLY
- Considered in Committee *Mar* 17, 250—Civil Services (Excesses, 1874-5)—Civil Service Estimates, 1875-6—Civil Services and Revenue Departments, Supplementary Estimates for 1875-6—Classes I., II., III.—Committee — r.p. — Resolutions reported *Mar* 20
- Considered in Committee *Mar* 20, 337—Supplementary Estimates, Civil Services and Revenue Departments, 1875-6—Classes III., V., VI., VII.—Inland Revenue—Post Office Packet Service — £500,000, War Office, on account of India—Navy Excesses, 1874-5—Greenwich Hospital and School (Excess of Expenditure)—Resolutions reported *Mar* 21
- Considered in Committee *Mar* 24, 591—Civil Service Estimates — Class III.—Law and Justice—Resolutions reported *Mar* 27
- Considered in Committee *April* 7, 1466—Civil Service Estimates — Class V.—Colonial, Consular, and other Foreign Services—£1,254,650, on account for Civil Services, 1876-7—Resolutions reported *April* 10
- Considered in Committee *April* 10, 1528—Navy Estimates — Committee — r.p.—Resolutions reported *April* 11
- Considered in Committee *April* 28, 1879—On account, Revenue Departments—Army Purchase Commission—Resolutions reported *May* 1

Supreme Court of Judicature (Ireland) Bill [h.l.] (*The Lord Chancellor*)
- *l.* Presented *Mar* 16, 46; after short debate, Bill read 1ª (No. 31)
- Read 2ª, after short debate *April* 6, 1301

Sweden—The British Church at Stockholm
- Question, Mr. Beresford Hope; Answer, Mr. Bourke *April* 10, 1474

Taylor, Mr. P. A., *Leicester Bo.*
- Barbadoes, Flogging in, 1323
- Civil Departments (Employment of Soldiers), Motion for a Select Committee, 1907
- Law and Justice—Wilberforce, Mr., Case of, Res. 2008, 2016, 2022
- Mutiny, Comm. *cl.* 106, Amendt. 912; Amendt. 913
- Navy—Arrest of Seamen — Leave-breaking, 1907
- Offences against the Person, Comm. Motion for reporting Progress, 1622, 1623
- Sunday Trading—Bakers Act, 62
- Vaccination Act—Prosecutions, 62

Telegraphs (Money) Bill (*The Lord President*)
- *l.* Read 2ª* *Mar* 20 (No. 29)
- Committee*; Report *Mar* 21
- Read 3ª* *Mar* 23
- Royal Assent *Mar* 27 [38 *Vict.* c. 5]

Temple, Right Hon. W. F. Cowper-, *Hants, S.*
- Windward Islands—Federation, 1178

Templetown, Viscount
- Metropolis—Northumberland Avenue, 1394

Tenant Right at the Expiration of Leases Bill (*Mr. Mulholland, Lord Arthur Edwin Hill-Trevor, The Marquess of Hamilton, Captain Corry, Mr. Chaine*)
- *c.* 2R. *May* 2, 2040 [House counted out]

Tennant, Mr. R., *Leeds*
- Army—Majors of Cavalry, Supernumerary, 74

Thames Valley Drainage — Report of Colonel Cox
Question, Captain Pim; Answer, Mr. Sclater-Booth *April* 10, 1484

THORNHILL, Mr., *Suffolk, W.*
Barbadoes—Alleged Riots, 1628, 1834

Toll Bridges (River Thames) Bill
(*Mr. Alderman M'Arthur, Sir James Clarke Lawrence, Mr. Forsyth, Sir Henry Peek, Sir Trevor Lawrence, Sir Charles Russell*)
c. Select Committee appointed, "to take into consideration the freeing of the remaining Tollpaying Bridges over the Thames, and the most equitable mode of raising the necessary funds, and to report to the House" (*Mr. Alderman M'Arthur*) *Mar* 31; Committee nominated *April* 10; List of the Committee, 1038

TORRENS, Mr. W. T. M., *Finsbury*
British Museum—Salaries, 1576

TRACY, Hon. C. R. D. HANBURY-, *Montgomery, &c.*
Navy—Detached Squadron, 171
Naval Interpreters, 968, 1327
Navy — Navigation of Her Majesty's Ships, Res. 1635
Navy Estimates—Seamen and Marines, 1536

Trade Union Act (1871) Amendment Bill
(*Mr. Mundella, Mr. Thomas Brassey, Mr. Jacob Bright, Mr. Morley*)
c. Read 2º * *Mar* 27 [Bill 92]
Committee *; Report *April* 5

Tramways Order Confirmation (Wantage) Bill [H.L.] (*The Lord President*)
l. Presented; read 1ª *, and referred to the Examiners *April* 28 (No. 61)

Tramways Orders Confirmation (Bristol, &c.) Bill [H.L.]
(*The Lord President*)
l. Presented; read 1ª *, and referred to the Examiners *April* 28 (No. 60)

Treasury Solicitor Bill
(*Mr. William Henry Smith, Mr. Chancellor of the Exchequer, Mr. Attorney General*)
c. Ordered; read 1º * *April* 10 [Bill 128]
Read 2º * *April* 24

TREMAYNE, Mr. J., *Cornwall, E.*
Unreformed Municipal Corporations (England and Wales)—Royal Commission, 479

Turkey—Loans of 1854 *and* 1855
Question, Mr. W. Gordon; Answer, The Chancellor of the Exchequer *Mar* 28, 698

Union of Benefices Bill [H.L.]
(*The Lord Bishop of Exeter*)
l. Presented; read 1ª * *May* 1 (No. 64)

Union Rating (Ireland) Bill
(*Mr. O'Shaughnessy, Mr. Butt, Mr. Downing, Mr. Sheil*)
c. Bill withdrawn * *Mar* 27 [Bill 58]

United Parishes (Scotland) Bill
(*The Lord Steward*)
l. Question, Observations, The Earl of Minto; Reply, Earl Beauchamp *Mar* 16, 57
Read 2ª * *Mar* 28 (No. 18)
Committee * *Mar* 31
Report * *April* 3
Read 3ª * *April* 4

United States
The "Alabama" Claims, Question, Mr. Elliot; Answer, Mr. Bourke *April* 10, 1481
Extradition Treaty — The Winslow Case, Question, Sir Henry James; Answer, Mr. Assheton Cross *May* 1, 1909

University of Cambridge—Legislation
Question, Observations, Earl Granville; Reply, The Marquess of Salisbury *Mar* 23, 466

University of Oxford Bill [H.L.]
(*The Marquess of Salisbury*)
l. *The Commissioners*, Question, Observations, The Marquess of Lansdowne; Reply, The Marquess of Salisbury *Mar* 20, 261
Observations, Question, The Earl of Airlie; Reply, The Marquess of Salisbury *Mar* 21, 348
Notice of Amendments, The Marquess of Salisbury *Mar* 27, 598
Committee; Report, after short debate; Bill re-committed *Mar* 30, 820 (No. 16)
Committee (*on re-comm.*) after short debate *Mar* 31, 926
Committee (*on re-comm.*) *April* 6, 1302
Report *May* 2, 1949 (No. 45)

Vaccination Act
Milner's Case, Question, Mr. Pease; Answer, Mr. Sclater-Booth *Mar* 23, 477
Prosecutions, Question, Mr. P. A. Taylor; Answer, Mr. Sclater-Booth *Mar* 16, 62

Valuation Bill
Surveyors of Taxes, Question, Mr. E. Hubbard; Answer, The Chancellor of the Exchequer *April* 27, 1760

Vivisection—Legislation
Question, Mr. Wait; Answer, Mr. Assheton Cross *Mar* 23, 476

WADDY, Mr. S. D., *Barnstaple*
House Occupiers Disqualification Removal, 2R. 1623

WAIT, Mr. W. K., *Gloucester*
Vivisection—Legislation, 476

WALPOLE, Right Hon. Spencer H., *Cambridge University*
Public Schools Act, 1868, Res. 1436

Ward, Dr. M. F., *Galway*
Admiralty Jurisdiction (Ireland), 2R. 1886
Borough Franchise (Ireland), Res. 742
Coast and Deep Sea Fisheries (Ireland), 2R. 428, 464
India—Bengal Famine, Motion for a Select Committee, 1858
Inland Revenue — Excise—Blending of Irish Whiskey, Motion for a Select Committee, 1208
Landed Estates Court (Ireland)—Second Judge, Appointment of, 70
National School Teachers (Ireland) Act, 1875, Res. 238
Supply—Revenue Departments, 1878
Women's Disabilities Removal, 2R. 1702

Watkin, Sir E. W., *Hythe*
Elementary Education Act, 1870—Science in Elementary Schools, 1405
Merchant Shipping, Comm. *cl.* 14, 1584

Waveney, Lord
Royal Titles, 2R. 849

WAYS AND MEANS

Miscellaneous Questions
Inland Revenue — Friendly and Building Societies—Fees on Certificates, Question, Mr. Rylands; Answer, The Chancellor of the Exchequer *April* 3, 1096
Public Health Act, 1875—*The Proxy Stamp,* Question, Mr. Coope; Answer, Mr. Sclater-Booth *April* 7, 1410

Ways and Means—Inland Revenue—Excise—Blending of Irish Whiskey
Moved, "That a Select Committee be appointed to inquire into the practice which has been permitted of late years of mixing Whiskey in Her Majesty's Bonding and Inland Revenue Stores with other spirits; to report to this House whether the practice is injurious to the public and to the manufacturers of Irish Whiskey, and whether, in the opinion of the Committee, the practice ought or ought not to be discontinued; and that the Committee do also inquire into the effect of using new made spirits, and to report whether it would be in the interest of the public for the Government to detain all spirits and Whiskey in Bond until it is at least twelve months old" (*Mr. O'Sullivan*) *April* 4, 1185
Amendt. to leave out from "That," and add "in the opinion of this House, the practice of 'blending' Whiskey does not necessarily cause adulteration, and it is inexpedient to deprive traders in British spirits of trade facilities that are allowed to traders in Foreign spirits, wines, and various other bonded articles" (*Mr. Anderson*) *v.*; after debate, Question put, "That the words, &c.;" A. 69, N. 145; M. 76
Question proposed, "That the words 'in the opinion of this House, the practice of 'blending' Whiskey does not necessarily cause adulteration, and it is inexpedient to deprive traders in British spirits of trade facilities that are allowed to traders in Foreign spirits, wines, and various other bonded articles,' be added, *v.*;" Amendt. withdrawn

Ways and Means—Local and Imperial Taxation—The Income Tax
Amendt. on Committee of Ways and Means *April* 6, To leave out from "That," and add "Local and Imperial Taxation, when they have a common incidence, should have a common basis of valuation, and should alike be assessed upon the net rental or value of Real Property; and that Imperial Taxation, when levied upon industrial earnings, should be subject to such an abatement as may equitably adjust the burthens thrown upon intelligence and skill as compared with property" (*Mr. Hubbard*) *v.* 1331; after debate, Question put, "That the words, &c.;" A. 156, N. 84; M. 72

WAYS AND MEANS
Considered in Committee *Mar* 20, 345 — (£1,029,550 5*s.* 1*d.*) Consolidated Fund (Deficiencies, 1875-6)—(£9,000,000) Consolidated Fund (Services, 1876-7)—Resolutions reported *Mar* 21
Considered in Committee *April* 3, 1100—
Financial Statement of The Chancellor of the Exchequer on moving the First Resolution,
"That there shall be charged, collected, and paid for one year, commencing on the 6th day of April, one thousand eight hundred and seventy-six, in respect of all Property, Profits, and Gains mentioned or described as chargeable in the Act of the sixteenth and seventeenth years of Her Majesty's reign, chapter thirty-four, the following Duties of Income Tax (that is to say):
For every Twenty Shillings of the annual value or amount of all such Property, Profits, and Gains chargeable under Schedules (A) (C) (D) or (E) of the said Act, the Duty of Three Pence;
And For every Twenty Shillings of the annual value of the occupation of Lands, Tenements, Hereditaments, and Heritages chargeable ander Schedule (B) of this Act:—
In England, the Duty of One Penny Halfpenny; and
In Scotland and Ireland respectively, the Duty of One Penny Farthing"
After debate, Committee—R.P.
The Financial Statement—Abatements from Income Tax, Question, Mr. Whitwell; Answer, The Chancellor of the Exchequer *April* 6, 1324
Considered in Committee *April* 6, 1353 — Resolution [April 3] again proposed
Amendt. proposed [that the Duties be 2*d.*, 1*d.*, and 1*d.* respectively]—(*Mr. Charles Lewis*); after debate, Question put; A. 52, N. 113; M. 61; Original Question agreed to
Other Resolutions moved, and agreed to
Resolutions reported, and agreeed to *April* 7; Bill ordered (*Mr. Raikes, Mr. Chancellor of the Exchequer, Mr. William Henry Smith*); presented, and read 1° [Bill 124]
[See title—*Customs and Inland Revenue Bill*]

West Indies—The Windward Islands—Federation
Question, Mr. Cowper-Temple; Answer, Mr. J. Lowther *April* 4, 1178

Whalley, Mr. G. H., *Peterborough*
Monastic and Conventual Institutions (Great Britain), Res. 1007, 1015, 1016
Open Spaces (Metropolitan District), Comm. 428
Peace Preservation (Ireland) Act, Res. 1247
Public Meetings—Freedom of Discussion, 1327, 1328
Tichborne Case—Queen v. Castro—Witnesses, 72, 73, 246
Ways and Means—Income Tax, Res. 1361

Whitbread, Mr. S., *Bedford*
Parliament—Public Petitions—Monastic and Conventual Institutions, 1401

Whitelaw, Mr. A., *Glasgow*
Publicans Certificates (Scotland), Comm. *cl.* 4, Amendt. 1809 ; *add. cl.* 1814

Whitwell, Mr. J., *Kendal*
Merchant Shipping, Comm. *add. cl.* 1948
Owners of Land (England)—New "Domesday Book," 1758
Supply—Embassies and Missions Abroad, Motion for reporting Progress, 1468
Ways and Means—Financial Statement, 1142, 1324
Ways and Means—Income Tax, Res. 1361, 1364

Williams, Mr. W., *Denbigh, &c.*
Merchant Shipping, Comm. *cl.* 3, 548, 551, 665, 896, 905 ; *cl.* 5, 1155, 1159 ; *cl.* 9, 1369, 1370 ; *cl.* 15, 1606 ; Amendt. 1618 ; *cl.* 16, 1798, 1802 ; *cl.* 18, 1809 ; *cl.* 19, 1882 ; *cl.* 24, Motion for reporting Progress, 1885 ; *cl.* 27, 1915, 1917 ; *add. cl.* 1928
Navy—"Mistletoe" Collision, 1476, 1477
Royal Titles—The Proclamation, 1778

Wilmot, Sir J. E., *Warwickshire, S.*
Borough Franchise (Ireland), Res. 720
Coast and Deep Sea Fisheries (Ireland), 2R. 451
Merchant Shipping, Comm. *cl.* 3, Amendt. 899
Navy—Royal Marines, 1524
Parliament—Public Petition from a Foreign Town — Boulogne-sur-Mer (British Consulate), 1321 ; Res. 1416
Public Schools Act, 1868, Res. 1449

Wilson, Mr. C. H., *Kingston-upon-Hull*
Merchant Shipping, Comm. *cl.* 3, 895, 907 ; *cl.* 4, 912 ; *cl.* 5, 1155 ; *cl.* 16, 1798 ; *cl.* 21, Amendt. 1884 ; *cl.* 27, 1915 ; Amendt. 1916, 1918 ; *add. cl.* 1937 ; Amendt. 1947

Winmarleigh, Lord
County Palatine of Lancaster (Clerk of the Peace), 2R. 560
Sulphurous Acid, &c., Address for a Royal Commission, 606

Wolff, Sir H. D., *Christchurch*
Bank of England—Loans Act—Suez Canal Shares, 269
Egyptian Finance—Mr. Cave's Report, 699

Wolff, Sir H. D.—*cont.*
House Occupiers Disqualification Removal, 2R. 552, 554
Metropolis—Street Traffic—Hyde Park, 352
Parliament—Public Business, 1184
Parliament—Public Petition from a Foreign Town — Boulogne-sur-Mer (British Consulate), Res. 1417
Privy Council (Oaths taken by Members, &c.), Address for Returns, 2030
Royal Titles, Comm. *cl.* 1, 316
Suez Canal—Modification of Dues, 1562, 1567
Supply — Embassies and Missions Abroad, Amendt. 1467

Women's Disabilities Removal Bill
(*Mr. Forsyth, Sir Robert Anstruther, Mr. Russell Gurney, Mr. Stansfeld*)
c. Moved, "That the Bill be now read 2°" *April* 26, 1658
Amendt. to leave out "now," and add "upon this day six months" (*Viscount Folkestone*) ; after long debate, Question put, "That 'now,' &c. ;" A. 152, N. 239 ; M. 87
Division List, A. and N., 1741
Words added ; main Question, as amended, put, and agreed to ; 2R. put off for six months

Woolwich—Central Arsenal
Observations, Major Beaumont ; Reply, Lord Eustace Cecil ; short debate thereon *April* 7, 1452

Wyndham, Hon. P. S., *Cumberland, W.*
Royal Titles, Comm. 107

Yeaman, Mr. J., *Dundee*
Church Rates Abolition (Scotland), 2R. 33
Coast and Deep Sea Fisheries (Ireland), 2R. 444
Publicans Certificates (Scotland), Comm. *cl.* 11, Amendt. 1813

Yorke, Mr. J. R., *Gloucestershire, E.*
International Congress of Hygienie, Brussels, 1483
Parliamentary Elections Act, 1868—Boston Election, 349

Zanzibar, The Sultan of—Slave Trade (East Africa)
Moved, "That, in the opinion of this House, it is desirable that Her Majesty's Government should invite and assist the Sultan of Zanzibar to take such further steps as may be necessary for the total suppression of the Slave Trade within his dominions, and that at the same time more adequate provision should be made for the care and maintenance of the liberated slaves" (*Sir John Kennaway*) *April* 4, 1216 ; after debate, Motion agreed to
Treaty of 1839, Question, Mr. Mills ; Answer Mr. Bourke *Mar* 16, 72

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